

FLORIDA STATE LIBRARY.

PRIMARY ELECTION LAWS

OF THE

State of Florida

COMPILED FROM THE COMPILED GENERAL LAWS
OF FLORIDA, 1927, AND SUBSEQUENT ACTS
OF THE LEGISLATURE

BY

W. M. Igou

Secretary of State of the State of Florida
October, 1929

Ptg. Dept.-Fla. Ind. School for Boys

F 342.075
P952
1929

PRIMARY ELECTION LAWS

OF THE

State of Florida

248. (215) Every person of the age of twenty-one years and upwards, that shall at the time of registration be a citizen of the United States, and shall have resided and had his or her habitation, domicile, home, and place of permanent abode in Florida for one year, and in the county for six months, shall, if otherwise qualified according to law in such county, be deemed a qualified elector at all elections under the Constitution. Naturalized citizens of the United States at the time of and before registration shall produce to the registration officer their certificates of naturalization or duly certified copies thereof, and shall make oath that they are the identical persons named in such certificates, before they shall be allowed to register; Provided, That the following classes of persons shall not be entitled to vote:

First. Persons not duly registered according to law.

Second. Persons under guardianship, including those kept in or confined in any public prison.

Third. Persons who are insane or idiotic.

Fourth. Persons who may have been convicted of any felony by any court of record.

Fifth. Persons who may have been convicted of bribery, perjury, or larceny, or of any infamous crime in any court of this State, or any other State, or interested in any bet or wager, the result of which shall depend upon any election, or that shall hereafter fight a duel, or send knowingly, carry or accept a challenge to fight, or that shall be a second to either party, or that shall be the bearer of such challenge or acceptance; but the legal disability shall not accrue until after trial and conviction by due form of law.

Sixth. No person shall be permitted to vote at an election who shall have failed to pay, at least on or before the fourth Saturday preceding the day of such election, his or her poll taxes for the two years next preceding the year in which

such election shall be held; Provided, That no person shall be prevented from voting on account of not having so paid a poll tax for any year which shall not have been lawfully assessable against him or her by reason of his or her not having been of age, or having been over fifty-five years of age, or who has lost a limb in battle, or who shall have become disabled in the United States Army or Navy service, and who shall have procured and shall exhibit the certificate of the supervisor of registration to that effect as hereinafter provided for; and no person who became eligible to qualify as an elector in the year A. D. 1920 shall be prevented from voting because of not having paid a poll tax for that year. Provided, That no person who has not been in this State one year previous to any general election, shall be required to pay more than one year's poll taxes. Provided, That no person who has only been a resident of this State one year must first produce a poll tax receipt from the State from which they moved from, before being permitted to vote.

Seventh. No person shall be permitted to vote, or shall such vote be counted, unless the persons registers to vote in the election district in which he or she shall have his or her permanent place of residence.

249. WHEN SOLDIERS AND SAILORS MAY VOTE.—Any soldier, sailor, or marine who returns to the State after the time for payment of poll tax or for registration has expired, may be permitted to vote in any municipal primary or regular election upon the presentation of his discharge to the election officers and establishing the fact that he is the bona fide holder of same and that he could have been duly authorized to vote in said election except for his absence from the State and the fact that he was engaged in the military or naval service of the United States.

260. SALARIES OF SUPERVISORS OF REGISTRATION IN COUNTIES HAVING POPULATION OF NOT LESS THAN SEVENTEEN THOUSAND SEVEN HUNDRED AND NOT MORE THAN SEVENTEEN THOUSAND SEVEN HUNDRED FIFTY.—The salaries of the Supervisors of Registration in all Counties in the State of Florida having a population of not less than 17,700 and not more than 17,750, according to the last official State Census, shall be and the same is hereby fixed at Nine Hundred Dollars per annum; such salaries to be payable monthly by the County Commissioners of the several counties referred to out of the General Revenue Fund of said counties.

264. REGISTRATION BOOKS IN COUNTIES HAVING NOT LESS THAN FIFTY THOUSAND NOR MORE THAN SIXTY-FIVE THOUSAND POPULATION.—The County Registration Books in all Counties in the State of Florida having a population of not less than Fifty Thousand and not more than Sixty-five Thousand people according to the State Census of 1925, shall be kept open on each week day from 9 A. M. until 5 P. M. in the office of the Supervisor of Registration in each of said Counties for the Registration of electors for all general, special and primary elections, provided however, that said Registration Book shall close before each general, special or primary election at the time and in the manner now required by the laws governing both primary and general elections in said State but shall reopen for registration purposes the day following said election or elections.

The compensation to be paid the Supervisor of Registration in said Counties in lieu of all other compensation now allowed by law for his services as such Supervisor of Registration shall be the sum of twenty-four hundred dollars per annum payable in equal monthly payments of two hundred dollars each.

This Section shall be in addition to all laws now in force and applying to the duties of the Registration Officer and the registration of electors in said counties not in direct conflict herewith.

265. REGISTRATION BOOKS IN COUNTIES HAVING NOT LESS THAN EIGHTEEN THOUSAND FIVE HUNDRED NOR MORE THAN NINETEEN THOUSAND POPULATION.—The County Registration Books in all Counties in the State of Florida having a population of not less than Eighteen Thousand Five Hundred and not more than Nineteen Thousand people according to the last State Census, shall be kept open Saturday of each week from 9 A. M. until 5 P. M. in the office of the Supervisor of Registration in each of said Counties for the registration of electors for all general, special and primary elections, provided, however, that said Registration Book shall close before each general, special or primary election at the time and in the manner now required by the laws governing both primary and general elections in said State but shall reopen for registration purposes the day following said election or elections.

Th compensation to be paid the Supervisor of Registration in said counties in lieu of all other compensation now allowed by law for his services as such Supervisor of Regis-

tration shall be the sum of six hundred dollars per annum payable in equal monthly payments of fifty dollars each.

This Act shall be in addition to all laws now in force and applying to the duties of the Registration Officer and the registration of electors in said counties not in direct conflict herewith.

266. TAX COLLECTORS AS EX-OFFICIO SUPERVISORS OF REGISTRATION IN COUNTIES HAVING POPULATION OF NOT LESS THAN THIRTEEN THOUSAND SIX HUNDRED AND NOT MORE THAN THIRTEEN THOUSAND EIGHT HUNDRED.—In all counties having, according to the State Census of 1925, a population of not less than 13,600 and not more than 13,800, the powers and duties heretofore vested in and imposed upon supervisors of registration, shall be and they are hereby vested in and imposed upon the tax collectors of the respective counties who shall, while acting as such subscribe themselves as ex-officio supervisors of registration.

267. RE-REGISTRATION OF VOTERS IN SAID COUNTIES.—In all primary elections within counties having a population as stated in the foregoing section, new registration books shall be provided and a complete re-registration of all electors shall be required in the year 1928, under the provisions of law governing primary elections and all persons who shall then register or who may thereafter register under the provisions of law governing registration for primary elections shall be deemed duly registered for all general or special primary elections or general or special elections so long as they continue to reside in the election precinct, in which they so registered and their names carried upon the registration books as electors duly registered for such elections, provided, that the registration books for primary elections shall be used for all general or special elections and two sets of registration books shall not be required, but all persons registered for primary elections shall be deemed and held registered for general or special elections.

268. EXISTING LAWS APPLICABLE TO TAX COLLECTORS ACTING AS EX-OFFICIO SUPERVISORS OF REGISTRATION.—All provisions of existing laws applicable to supervisors of registration and their duty, powers and compensation, not in conflict herewith, shall be applicable to the several tax collectors in the performance of the duties hereby imposed.

269. RE-REGISTRATION IN COUNTIES HAVING POPULATION OF NOT LESS THAN FIFTEEN THOUSAND FIVE HUNDRED AND NOT MORE THAN SIXTEEN THOUSAND.—In all counties of this State having a population of not less than 15,500 and not more than 16,000, according to the last State census, the County Commissioners shall provide for a re-registration of all voters of such counties who intend to vote and qualify for voting in any general or primary election to be held in the year, A. D. 1928, or subsequent years thereafter, and in order to accomplish such re-registration of such voters, it shall be the duty of the Supervisors of Registration of such counties to immediately open their registration books for the purpose of registering or re-registering such voters as may desire to register and qualify to vote in any general or primary election to be held in the year, A. D. 1928, or subsequent years thereafter, and to re-register all of the voters of such county.

270. SAME; NULLIFICATION OF PAST REGISTRATIONS.—All registration of voters heretofore had in counties of the population described in Section 269 shall be null and void and of no force and effect on and after January 1st, A. D. 1928.

271. SAME; TIME TO APPLY FOR RE-REGISTRATION; LEGAL REGISTRATION BOOKS.—Any person who may desire and who possesses the qualifications provided by law for becoming a registered voter in the counties hereinbefore described, may apply to the registration officers in the several counties described in Section 269, for the purpose of being registered or re-registered, as the case may be, according to law, and it shall be the duty of the Supervisors of Registration of such counties to register or re-register any such persons who may be found by him to possess the qualifications required by law for becoming a legal voter in such counties for any general or primary election for which such voters desire to register; and all books containing the registration of voters herein provided for shall be deemed, taken and held to be legal registration books of such counties, and shall be used in all general and primary elections held in the years A. D. 1928 and thereafter until otherwise provided by law.

272. SAME; TIME OF CLOSING REGISTRATION BOOKS.—The re-registration of voters hereinbefore provided for may continue until not later than thirty days before any primary election to be held in the year 1928, and the books shall then be closed until after the holding of such

primary election, and registrations for the general election may be held thereafter until within thirty days prior to the date of holding any subsequent general election, whereupon said registration shall cease until after the time for holding the general election, and thereafter the registration of voters may continue at all times, except within the period of thirty days immediately preceding any general or primary election, the purpose and intention of this Act being to provide for a registration of all voters in said counties and to provide that the registration books shall be kept open for registration of voters continuously except during that period of time amounting to thirty days immediately preceding any general or primary election.

273. SAME; FEES OF SUPERVISOR OF REGISTRATION.—The Supervisor of Registration shall receive for his fees in making the registrations of voters hereinbefore provided for, the same compensation as is now or may hereafter be provided by law to be paid Supervisors of Registration for like services.

274. SAME; REGISTRATION BY DISTRICT REGISTRATION OFFICERS.—Registrations may be made by District Registration officers under the supervision of the registration officer in the same manner as now provided by law.

275. RE-REGISTRATION IN COUNTIES HAVING POPULATION OF NOT LESS THAN SEVENTEEN THOUSAND SEVEN HUNDRED AND NOT MORE THAN SEVENTEEN THOUSAND SEVEN HUNDRED FIFTY.—In all counties of this State having a population of not less than 17,700 and not more than 17,750 according to the last State Census, the County Commissioners shall provide for a re-registration of all voters of such counties who intend to vote and qualify for voting in any General or Primary Election to be held in the year A. D. 1928, or subsequent years thereafter, and in order to accomplish such re-registration of such voters, it shall be the duty of the Supervisors of Registration of such counties to immediately open their registration books for the purpose of registering or re-registering such voters as may desire to register and qualify to vote in any general or primary election to be held in the year A. D. 1928 or subsequent years thereafter, and to re-register all of the voters of such county.

276. SAME; NULLIFICATION OF PAST REGISTRATIONS.—All registration of voters heretofore had in counties of the population described in Section 275 shall be null

and void and of no force and effect on and after January 1st, A. D. 1928.

277. SAME; TIME TO APPLY FOR RE-REGISTRATION; LEGAL REGISTRATION BOOKS.—Any person who may desire and who possesses the qualifications provided by law for becoming a registered voter in the counties hereinbefore described, may apply to the registration officers in the several counties described in Section 275, for the purpose of being registered or re-registered, as the case may be, according to law, and it shall be the duty of the Supervisors of Registration of such counties to register or re-register any such persons who may be found by him to possess the qualifications required by law for becoming a legal voter in such counties for any general or primary election for which such voters desire to register; and all books containing the registration of voters herein provided for shall be deemed, taken and held to be the legal registration books of such counties, and shall be used in all general and primary elections held in the years A. D. 1928 and thereafter until otherwise provided by law.

278. SAME; TIME OF CLOSING REGISTRATION BOOKS.—The re-registration of voters hereinbefore provided for may continue until not later than thirty days before any primary election to be held in the year 1928, and the books shall then be closed until after the holding of such primary election, and registrations for the general election may be held thereafter until within thirty days prior to the date of holding any subsequent general election, whereupon said registration shall cease until after the time for holding the general election, and thereafter the registration of voters may continue at all times except within the period of thirty days immediately preceding any general or primary election, the purpose and intention of this Law being to provide for a registration of all voters in said counties and to provide that the registration books shall be kept open for registration of voters continuously except during that period of time amounting to thirty days immediately preceding any general or primary election.

279. SAME; FEES OF SUPERVISOR OF REGISTRATION.—The Supervisor of Registration shall receive for his fees in making the registration of voters hereinbefore provided for, the same compensation as is now or may hereafter be provided by law to be paid supervisors of registration for like services.

280. SAME; REGISTRATION BY DISTRICT REGISTRATION OFFICERS.—Registrations may be made by

District Registration officers under the supervision of the registration officer in the same manner as now provided by law.

299. REGISTRATION OF FREEHOLDERS IN COUNTIES HAVING POPULATION IN EXCESS OF ONE HUNDRED FIFTY THOUSAND; STATEMENT UNDER OATH.—In all of the Counties of the State of Florida having a population in excess of one hundred fifty thousand according to the last preceding census authorized by the Legislature of the State of Florida, at the time of the registration of any voter, in addition to the oaths now required by law, it shall be the duty of the Supervisor of Registration to require each person so registering, to state under oath, whether or not such person is a freeholder, and such person is hereby required to state under oath whether or not he or she is a freeholder and it shall be the duty of the Supervisor of Registration to note such fact upon the Registration Book opposite the name of such person.

300. SAME; TIME WITHIN WHICH FREEHOLDERS MAY REGISTER.—In every case where only freeholders are permitted to vote in an election provided by law, every qualified voter whose name appears upon the Registration Book shall have the right at any time up to twenty days prior to the date of the holding of such election, to go before the Supervisor of Registration and make oath that he or she has become a freeholder since his or her Registration, and it shall then be the duty of the Supervisor of Registration to note such fact upon the Registration Book.

301. REGISTRATION BOOK AS CONCLUSIVE EVIDENCE THAT REGISTERED PERSONS ONLY QUALIFIED TO VOTE.—In every election where only freeholders are permitted to vote in such Counties defined in Section 299, the Registration Book so made up by the Supervisor of Registration shall be conclusive evidence that only those persons whose names appear upon the Registration Book as freeholders qualified to vote, are all the freeholders qualified to vote in such County.

355. (299). NOMINATION TO BE MADE IN PRIMARY ELECTION.—The nomination of all candidates for all elective State, Congressional and County offices, for United States Senator, and for the election of members of the State, Congressional and County Executive committees, by all political parties as defined by this Article, shall be made in the manner provided in this Article, and not otherwise.

The name of no person nominated by a party required hereunder to make nominations of candidates shall be placed

upon the official ballot to be voted at any general election as a candidate for any office, when provision is made herein for nominating candidates for such office, unless such person shall have been nominated for such office under the provisions of this Article.

356. (300). **POLITICAL PARTIES WITHIN MEANING OF LAW.**—Any political party which, in either of the two general elections next preceding a primary, polled more than 30% of the entire vote cast in the State for its candidates for presidential electors, or any other officer voted for throughout the State, is hereby declared to be a political party within the meaning of this Article, and shall nominate its candidates for all elective offices to be voted for in the next ensuing general election, under the provisions of this Article, and not otherwise.

(As amended by Chapter 13761, Acts of 1929.)

357. (301). **TOTAL NUMBER OF VOTES CAST BY PARTY, HOW DETERMINED.**—In determining the total votes of a political party, whenever required by this Article, the test shall be the total vote cast by such political party for its candidate who received the greatest number of votes.

358. (302). **POLLING PLACES.**—Primary elections herein provided for shall be held at the regular polling places established for the purposes of holding general elections.

359. (303). **ELECTION HELD IN JUNE.**—A first primary election shall be held on the first Tuesday after the first Monday in June of every year in which a general election is held for the nomination of candidates of all political parties and a second primary election shall be held as hereinafter in this Act provided.

(As amended by Chapter 13761, Acts of 1929.)

360. (304). **MANAGING COMMITTEES; PROVISIO.**—The following committees shall constitute the Executive, or Central, or Managing committees of each political party, viz: A State Executive committee, a Congressional Executive committee for each Congressional district, and a County Executive committee for each county; provided, however, that nothing herein contained shall prevent a political party from electing or appointing, in accordance with its practice, other committees.

361. (305). **ORGANIZATION OF COMMITTEES; POWERS; PROXIES ALLOWED.**—The State Executive

committee shall consist of one member from each county in the State, who shall be elected for two years in the primary held in the year 1914, and every two years thereafter. The members of said executive committee shall, within thirty days after their election, meet and organize by electing from among their number a chairman and such other officers as they may deem necessary or expedient. The outgoing chairman of the State executive committee of each party shall, not less than ten days before the first meeting, notify each newly elected member of said committee of the time and place of said meeting.

The congressional executive committee shall consist of one member from each county in the congressional district, who shall be elected for two years at the primary held in the year 1914, and every two years thereafter. The members of said committee shall, within thirty days after their election meet and organize by electing from among their number a chairman and such other officers as they may deem necessary or expedient. The outgoing chairman of the congressional executive committee of each party shall, not less than ten days before the first meeting, notify each newly elected member of said committee of the time and place of said meeting.

The County executive committee of each political party shall consist of one member from each election precinct within the county, who shall be elected for two years at the primary held in the year 1914, and every two years thereafter. The members of said committee shall, within thirty days after their election, meet at the county seat and organize by electing from among their number a chairman and such other officers as they may deem necessary or expedient.

Each committee and its officers shall have the powers usually exercised by such committees and by the officers thereof not inconsistent with the provisions of this Article. Each of the several executive committees herein provided for shall have the power to appoint from its own membership proper and necessary sub-committees. Proxies may be allowed by executive committees, but each proxy shall reside in the same election precinct, in the case of a Congressional or State executive committee, as the committeeman represented by the proxy, and provided further, that in the event of no election of committeemen, or of a vacancy occurring from any other cause in any county executive committee, the chairman of the State executive committee shall

have the power to fill such vacancy by appointment from among the members of the party residing in the election district where such vacancy occurs. In the event of no election or of a vacancy occurring from any other cause in the State or congressional executive committee, the executive committee, or a majority thereof, of the county so without representation, may fill such vacancy by the election of some person who is a member of the party in such county.

(As amended by Chapter 13761, Acts of 1929.)

362. (306). **EXPENSES.**—The expenses of holding the primary elections herein provided for, including the expenses of preparing all ballots, blanks, and other supplies to be used at any primary election, and all expenses necessarily incurred in the preparation for or the conduct of such primary election, shall be paid out of the treasury of the county or the State, as the case may be, in the same manner, with like effect, and by the same officers as in the case of general elections.

363. (307). **WHEN DISTRICT REGISTRATION BOOKS OPEN; DISTRICT REGISTRATION OFFICERS, ETC.**—That the county registration books for each election district shall be open on each week day from 9 a. m. to 12 m., and from 2 p. m. to 5 p. m., and one night each week until 9 p. m., at some convenient place in each election district in each county of this State, from the first Monday in March to and including the first Monday in April in 1916, and biennially thereafter during such period for the registration of all persons who are legally qualified to register for the general primary election, and it shall be the duty of the supervisor of registration to appoint district registration officers of each election district, as authorized and required by the provisions of Section 258, which said district registration officers shall keep the registration books open in their districts respectively as herein required. Each district registration officer shall post notice in at least three public places within his election district, stating the place and the building where he will have open the registration books.

364. (308). **BIENNIAL REGISTRATION NOT REQUIRED EXCEPT IN CERTAIN CITIES.**—That all persons who have heretofore registered or who may hereafter register under the provisions of this Article, in election precincts which are not located wholly or in part within a city of more than twenty thousand population shall be deemed duly registered for all general primary elections and all general and special elections so long as they continue to reside

in the election precinct in which they so registered and their names shall be carried upon the registration books as electors duly registered for such elections.

365. (309). **HOW PERSONS MAY REGISTER CHANGE OF PARTY AFFILIATION.**—That any person who has registered or who may hereafter register under the provisions of this Article, in an election precinct which is not located wholly or in part within a city of more than twenty thousand population, desiring to change his political party affiliations may have such change made any time after the general primary next following his registration by making application in writing, duly signed by the applicant, to the supervisor of registration at least sixty days before the date of any general primary, and upon such application being made the supervisor of registration shall note the change of party affiliation upon the registration book and shall furnish to the person requesting the change a certificate showing such change and transfer of party affiliations. Such applications shall be retained on file in the office of the supervisor of registration.

366. (310). **BIENNIAL REGISTRATION REQUIRED IN CERTAIN CITIES; PERSONS REGISTERED DEEMED REGISTERED ELECTORS FOR GENERAL AND SPECIAL ELECTIONS.**—That in all election precincts located wholly or in part within a city of more than twenty thousand population biennial registration shall be required, as provided by the provisions of this Article, and all persons so registering shall be deemed duly registered electors for the general election next following the primary for which they registered, and for any special election held subsequent to the general primary for which they registered, and prior to the next following general primary, and their names shall be carried on the registration books as duly registered electors for such elections.

367. **BIENNIAL REGISTRATION IN COUNTIES HAVING POPULATION OF EIGHTY THOUSAND OR MORE.**—In all election precincts in counties having a population of eighty thousand or more according to the Federal Census of 1920 or any subsequent Federal census, biennial registration in all general primary election elections shall be required in the same manner and to the same extent as now required by these Compiled General Laws in election precincts located wholly or in part within cities of more than twenty thousand population.

368. (311). **MAXIMUM FEE FOR EACH REGISTRATION.**—That Deputy Registration officers and Precinct Registration officers, authorized by the provisions of this Article, shall not be paid for their services more than twenty-five cents for each registration, and no Board of County Commissioners shall pay them more for such services as may be required of them.

369. (312). **TIME REGISTRATION BOOKS TO BE KEPT OPEN; PERSONS QUALIFIED TO REGISTER.**—It is hereby made the duty of the supervisor of registration of each county in this State, between the first Monday in April, 1914, and May 1, 1914, and biennially between corresponding dates thereafter, to keep the registration books of the county open at his office every day, Sundays excepted, from 9 o'clock a. m. to 12 o'clock m., and from 2 o'clock p. m. to 5 o'clock p. m., for the registration of electors for the general primary election. Provided, however, That any person otherwise qualified who shall become of legal voting age, or who shall have resided in the State one year, or the county six (6) months, between the date of the closing of the registration books and the holding of the general primary election, may upon personal appearance before the supervisor of registration, make an affidavit containing the date on which he will become of legal voting age, or will have completed a legal voting residence, in the State or county, shall thereupon be registered and be a qualified elector in said general primary election.

371. (314). **PAYMENT OF POLL TAX AND REGISTRATION PREREQUISITIES TO VOTING.**—No person, unless exempt under the provisions of law relating to general elections, shall be permitted to vote at a primary election who shall have failed to pay at least on or before the second Saturday in the month preceding the day of such election his poll taxes for two years next preceding the year in which such primary election shall be held. Nor shall any person be permitted to vote at any such election who shall not have registered during the period the registration books are required to be kept open next preceding the day of said election, except as otherwise provided herein.

372. (315). **COPY OF POLL TAX RECEIPTS TO BE DELIVERED TO SUPERVISOR OF REGISTRATION.**—For the year 1915 and thereafter the tax collector shall issue and deliver to the supervisor of registration a duplicate copy of each poll tax receipt upon forms to be furnished him by the Comptroller and the supervisor of registration

shall enter upon the general county register and also upon each precinct register the serial number of each poll tax receipt delivered to him by the tax collector.

373. (316). FORM OF REGISTRATION BOOKS.— There shall be one or more volumes, well bound with leather backs and corners and cloth sides for each election district, large enough to contain the names of all the electors of the district for which provided, called the "General County Register" for Election District..... (number to be inserted.) The pages of said register shall be alphabetically indexed on the margin. There shall be one registration book bound in tag board with cloth strips on the back, for each election precinct in each county in the State, called "Precinct Register for..... Precinct..... County;" and its pages shall be alphabetically indexed on the margin so as to facilitate registering the electors in the precinct in alphabetical order, according to surnames. These precinct registers shall be bound in different sizes, so as to suit the different precincts. The paper, size of pages, ruling and printing shall be the same as used for the General County Register. Said registration books shall be ruled and printed substantially in the following form: (next page.)

The following form of oath shall be printed in the column in which the word "Oath" appears: "I, having been first duly sworn, say, upon oath, that the statements here entered opposite my name, as to my qualifications as an elector, are true." The supervisor of registration is hereby authorized and required to administer this oath; and he shall also administer the oath required by Section 3 of Article VI of the Constitution of Florida, in the manner prescribed by Section 257.

374. (317). APPOINTMENT, POWERS, AND COMPENSATION OF DEPUTY SUPERVISORS.—The supervisor of registration of each county shall appoint, subject to removal by him at any time, as many deputy supervisors of registration as he may deem necessary or advisable, whose compensation shall be paid by him. Deputy supervisors of registration shall have all the powers of the supervisor of registration, and their acts shall be in all respects as effective as the acts of such supervisor himself. The district registration officers authorized and required by the provisions of this Article shall be compensated by the county as now provided by Section 259.

375. (318). REGISTRATION; DISTRICT REGISTRATION OFFICERS PAID BY COUNTY.—Every elector may be registered without charge by personally appearing in the office of the said supervisor of registration and, after being duly sworn, stating the following facts, which the supervisor of registration shall appropriately enter in the General County Register. Electors shall be numbered consecutively, one, two, three, etc., in each precinct as they are registered in the General County Register. The supervisor of registration shall inquire of each person who applies for the purpose of being registered, when necessary, and enter the following information as to such person in the General County Register in the division set off for the precinct in which such person resides, to-wit:

1. His registration number.
2. The date of his registration.
3. His full name.
4. His political party affiliations.
5. Leave a blank space in which the inspectors of election shall enter in the precinct register the poll book number of each elector when he has voted.
6. His business or occupation.
7. His age in years.
8. His color.
9. The State or country of his nativity.
10. If naturalized, the time, place and court of naturalization of declaration as evidenced by the legal proof thereof, exhibited by such person.
11. His postoffice address at the time of his registering, and, in cities and towns having streets, by specifying the name of the town, or city, the street or other location of or dwelling place of such person, with the number of such

dwelling, if the same has a number; if not, then with such description of the place as can be readily ascertained and identified.

12. The fact whether or not he is able to write his name and mark his ballot, and, if he cannot do both, then the nature of such disability must be entered.

13. Such person shall then next following the afore-administered oath, sign his name in the presence of the supervisor of registration, in the General Register upon the same line where the preceding information is written, and the said supervisor shall then sign his own name upon the said line, and add any remarks required by this chapter or appropriate thereto, for the information of the inspectors of election. If such person declares that he is unable to mark his ballot or sign his name, he shall state why, and the supervisor of registration shall enter upon the register the reasons. If the inability of such person to sign is apparent, owing to some physical infirmity, such as blindness or loss of limb, incapacitating him from writing, he shall so state the fact, but if the disability is because of the illiteracy of such person, the supervisor of registration shall, in addition to entering that fact, enter as full a description of such person as possible, giving his height, approximate weight, color, complexion and color of eyes.

The district registration officers authorized and required by the provisions of this Article shall be compensated by the county as now provided by Section 259.

376. (319). **ELECTION PRECINCT REGISTRATION.**—The supervisor of registration shall then enter in the separate precinct register of the particular precinct in which the elector resides everything entered by him in the General Register. He shall arrange the names alphabetically, according to surname, in the separate precinct register, but the same number given the elector in the general register shall be given him in the separate precinct register. The said supervisor, or his deputy, shall then require the elector to sign his name, and, as in the general register, he shall attest the registration. The separate election precinct register shall contain all the information concerning the elector contained in the general county register, including the actual signature of the elector, if able to sign, and signature of said supervisor or his deputy attesting such registration.

377. (320). **STATE EXECUTIVE COMMITTEE MAY DECLARE TERMS ON WHICH ELECTORS MAY BE TAKEN MEMBERS OF PARTY.**—The State Executive

Committee of each political party may by resolution declare the terms and conditions on which legal electors shall be declared and taken as proper members of such party, and therefore entitled to vote in the primary election herein required to be held, as members of that party. It shall be the duty of the supervisors of registration of the various counties in the registration of electors to comply with the terms of any such resolution upon the filing with them of copies thereof duly certified by the chairman and secretary of any such executive committee, at any time before the opening of the registration books as herein required.

378. (321). SUPERVISORS TO FURNISH SECRETARY OF STATE NUMBER REGISTERED ELECTORS.—It shall be the duty of the supervisor of registration of each county, immediately upon the closing of the registration books as herein provided, and not later than the thirtieth day before the primary election, to furnish the Secretary of State, by telegraph if necessary, a statement containing the total number of registered electors of each political party according to his registration books.

379. (322). COUNTY REGISTERS OPEN TO INSPECTION; COPIES.—The said registers shall be public records. Every citizen shall be allowed to examine the general county register and each of the precinct registers, while they are in the custody of the supervisor of registration, but shall not be allowed to make copies or extracts therefrom. The supervisor of registration shall furnish copies of the names, occupations and residences of any electors upon payment to him of reasonable compensation therefor, not exceeding the customary fees for copying papers in the office of the clerk of the Circuit Court, but shall not furnish in writing any other information contained in said registration books.

380. (323). REGISTRATION BOOKS FURNISHED BY SECRETARY OF STATE.—It shall be the duty of the Secretary of State to cause to be prepared a sufficient number of registration books, and all other books and blanks required by this Article.

381. (324). PARTY MAY ASSESS CANDIDATES.—The executive committees of each political party affected by the provisions of this article are hereby authorized, for the purposes of meeting their legitimate expenses and maintaining their party organizations, to levy assessments upon such candidates of their respective parties as are required by Section 385 to pay filing fees; but no executive commit-

tee shall levy assessments upon any candidate exceeding two per cent of the annual salary or compensation of the office sought by him; Provided, county executive committees shall have exclusive power to levy assessments upon candidates to be voted for only in a single county, and that congressional executive committees shall have exclusive power to levy assessments upon candidates for representatives in Congress, and the State executive shall have exclusive power to levy all other assessments hereby authorized; Provided further, That no assessment shall be made by any executive committee in the event of a special primary election. Upon payment by a candidate of such committee assessment, he shall be entitled to receive a receipt for such payment from the chairman thereof.

382. (325). PARTY ASSESSMENTS TO BE MADE NOT LATER THAN MARCH 15; COPY OF ASSESSMENTS FILED WITH CLERK OF COURT.—It shall be the duty of each executive committee, not later than March 15th of each year in which a general primary election is to be held, to adopt a resolution setting forth what assessments, if any, it will require of candidates, and cause a certified copy thereof to be delivered, as provided in this section within five days thereafter. Said certified copy shall be delivered to the Secretary of State, if adopted by a State or congressional executive committee; and if adopted by a county executive committee, to the clerk of the circuit court of said county, who shall receive the same in his capacity of clerk of the Board of County Commissioners thereof. Said certified copies shall be preserved by the Secretary of State, and by the various Boards of County Commissioners.

383. (326). FORM OF CANDIDATES' OATH.—Every candidate for nomination to any office herein provided for shall be required to take and sign and subscribe to an oath or affirmation in writing, in which he shall state the particular party of which he is a member; that he did not vote for any nominee of any other party, national, State or county, at the next preceding general election; the title of the office for which he is a candidate; that he is a qualified voter of the State, giving the name of the county of his legal residence; that he has paid his poll taxes legally due; that he is qualified under the constitution and laws of Florida to hold the office for which he desires to be nominated; that he has paid the assessment levied against him as a candidate for said office by the appropriate executive committee of the political party of which he is a member; that he has

not violated any of the laws of the State relating to elections or the registration of voters.

Said sworn statement shall be substantially in the following form:

State of Florida,

County of

Before me, an officer authorized to administer oaths, personally appeared, to me well known, who, being sworn, says he is a member of the party; that he did not vote for any nominee of any other party, national, state or county, at the last general election; that he is a candidate for nomination for the office of in the general primary election of the year 19.....; that he is a qualified voter of county, Florida; that he has paid his poll taxes legally due; that he has paid the assessment levied against him as a candidate for said office by the executive committee of the party; that he is qualified under the Constitution and laws of Florida to hold the office for which he desires to be nominated; and that he has not violated any of the laws of the State relating to elections or the registration of voters.

.....
(Signature of Candidate.)

Sworn to and subscribed before me this day of, 19....., at County, Florida.

.....
Signature and Title of Officer

Administering Oath.

384. (327). COMMITTEES TO FURNISH PRINTED FORM OF OATH.—The executive committees herein provided for shall furnish without charge a printed form of the sworn statement prescribed in the preceding section to any prospective candidate upon application therefor.

385. (328). FILING FEE OF CANDIDATE.—Each candidate for nomination for any office herein provided for shall be required to pay a filing fee at the time of filing the sworn statement provided for in Section 383. The amount of said filing fee shall be three per cent of the annual salary or compensation of the office sought by the candidate; Provided, That no filing fee shall be required of any candidate for any office to the holder of which no salary or compensation is required to be paid.

386. (329). TIME FOR FILING STATEMENT AND PAYING FEE BY CANDIDATE FOR STATE OFFICE.—Each candidate for nomination for an office to be voted for by the electors of more than one county shall file his sworn statement and receipt for committee assessment if any has been levied and paid to the proper committee, and pay his filing fee as herein required to the Secretary of State not less than thirty days previous to the day of the first primary election, provided, that any candidate may pay such assessment as has been levied by the committee to the Secretary of State, who is hereby authorized to accept the same and remit to the appropriate committee entitled thereto.

(As amended by Chapter 13761, Acts of 1929.)

387. (330). TIME FOR FILING STATEMENT AND PAYING FEE BY CANDIDATE FOR COUNTY OFFICE.—Each candidate for nomination for an office to be voted for wholly within a single county shall file his sworn statement and receipt for committee assessment, if any has been levied, with, and pay his filing fee as herein required, to the Clerk of the Circuit Court of said county, who shall receive the same in his capacity as Clerk of the Board of County Commissioners of said county, not less than twenty-five days previous to the day of the primary election.

(As amended by Chapter 13761, Acts of 1929.)

388. (331). CANDIDATES ENTITLED TO HAVE THEIR NAMES PRINTED ON OFFICIAL BALLOT.—Each person who shall have filed his sworn statement and paid his filing fee and committee assessment, if any, as herein required, shall be entitled to have his name printed on the official primary election ballot; Provided, That whenever the number of candidates of any political party for any office or position shall not exceed the number required to be nominated or elected to said office or position, the names of such candidates shall not be printed on the official primary election ballot, but such candidates are hereby declared to be nominated for such office, or elected to such position.

389. (332). STATE EXECUTIVE COMMITTEE MAY DECLARE FOR NOMINATION OF CANDIDATES FOR NON-ELECTIVE OFFICES.—The State Executive Committee of any political party may, by resolution, declare for the nomination of candidates for other than elective offices, and also for the selection of national committeemen, delegates to national political conventions, and for President

and Vice-President of the United States. Upon the adoption by such committee of a resolution for the nomination or selection of any such additional candidates or delegates, and upon service of a certified copy thereof upon the Secretary of State, within the time required for filing sworn statements by candidates, the names of candidates for such offices and positions shall appear upon the official primary election ballot. The form of ballot shall correspond in all respects to the form herein prescribed.

390. (333). PORTRAIT OF AND STATEMENT CONCERNING CANDIDATE MAY BE FILED WITH SECRETARY OF STATE FOR PUBLICATION; REGULATIONS.—Any candidate may file with the Secretary of State for publication, as herein provided, not later than the thirty-third day before the primary election, with his portrait cut if he wishes, a printed or typewritten statement or statements, on the conditions hereinafter set forth, concerning his own candidacy, or in reply to any statements served upon him, as provided in this section. Any such candidate may, not later than the thirty-ninth day before said primary election, file with the Secretary of State his printed or typewritten statement over his signature concerning any other candidate for the same office; but every such statement shall be accompanied by affidavit or sheriff's return that personal service has been made upon such candidate of a true copy of such statement. Nothing in this article shall be deemed to make any such statement or the author thereof free or exempt from any civil or criminal action or penalty because of any false, slanderous or libelous statements offered for printing or contained in such pamphlet. The person or persons procuring, making, composing or offering such statements for filing shall be deemed the authors and publishers thereof.

391. (334). COST OF SPACE IN PUBLICATION PRINTED BY STATE.—Candidates for nomination shall pay for one page of space in the publication herein provided for, as follows:

For the office of United State Senator, and all offices to be voted upon in each of the counties in the State	\$100.00
For the office of Representative in Congress.....	50.00
For offices to be voted for in only one county.....	10.00
For offices to be voted for in more than one county, but not exceeding five counties, per county	7.50

For offices to be voted upon in more than five but
less than all counties, per county 5.00

Any candidate may have additional space at the rate of \$100.00 per page, but no payment shall be received for less than a full page; Provided, That not more than three additional pages shall be allowed to any one candidate.

All payments required by this section shall be made to the Secretary of State when the statement is offered to him for filing, to be by him paid into the general revenue fund of the State treasury.

392. (335). SIZE AND STYLE OF PAMPHLETS PRINTED BY STATE.—The pages of the pamphlets required by this Act shall be six by nine inches in size, and the printed matter therein shall be set in eight-point roman-faced type, single leaded and twenty-five ems pica in width, with proper heads.

393. (336). SECRETARY OF STATE TO PREPARE PAMPHLETS; TIME; DELIVERY.—Not later than the thirtieth day before the primary election, the Secretary of State shall cause all such statements, and portrait cuts properly compiled, edited, prepared and indexed for printing, to be printed and bound in pamphlet form, the pictures of the candidates appear as a part of their several statements where such portrait cuts are offered. All of the statements filed by candidates for nomination to each office shall be printed in the order in which the names of candidates are grouped under the titles of the offices on the official ballot grouped under the titles of the offices on the official ballot at the primary election. In preparing such pamphlets for printing, the Secretary of State shall compile the copy in such manner as to make it most convenient to print and bind under one cover, and shall have printed, separately for each political party, statements only of candidates to be voted for by members of that party for nomination; but no picture, statement or argument for or against any candidate for nomination shall be included in the copy of said pamphlet going to any county where such candidate is not to be voted for. Delivery of such pamphlets shall be begun under the supervision of the Secretary of State as quickly as possible, and not later than the twenty-fifth day before the primary election, and completed not later than the twentieth day before such primary election. Pamphlets shall be sent for delivery, so far as practicable, to the counties in the order of their distance from the State Capital.

394. (337). PAMPHLETS SENT TO SUPERVISOR OF REGISTRATION OF VARIOUS COUNTIES.—The Secretary of State shall forward, by mail or express within the time required in the preceding section, to the supervisors of registration of the various counties, sufficient pamphlets and not less in number than the number of registered electors according to the information furnished him by each supervisor of registration, as required by Section 378, to supply each registered elector with a copy of such pamphlet of his political party.

395. (338). DISTRIBUTION TO ELECTORS.—Immediately upon receipt of the pamphlet herein provided for, each supervisor of registration shall cause a copy thereof to be mailed to each registered elector within his county, taking care to mail to each such elector only the pamphlet of the political party of which such elector is registered as a member in the registration books.

396. (339). WRAPPERS AND POSTAGE FURNISHED BY STATE.—In order to facilitate the mailing of the pamphlets herein provided for, it shall be the duty of the Secretary of State to furnish, not later than April 15th of each year in which a primary election is to be held, to the supervisors of registration of the various counties, as many wrappers or envelopes, postage paid, as there were registered voters therein at the next preceding general election. It shall also be the duty of the Secretary of State immediately upon receiving from the supervisors of registration of the various counties information of the number of qualified electors as provided in Section 378, to forward to such supervisors whatever additional wrappers or envelopes, postage paid, may be necessary to comply with the provisions hereof requiring pamphlets to be mailed to each registered elector.

397. (340). DUTY OF SUPERVISOR TO ADDRESS AND MAIL PAMPHLETS.—It shall be the duty of the supervisor of registration of each county to cause all wrappers and envelopes for the mailing of pamphlets to be addressed and ready for mailing by the time the pamphlets are required to be delivered to him.

398. (341). CLERICAL HELP TO SECRETARY OF STATE IN PERFORMING DUTIES.—The Secretary of State may employ such clerical or other help as may be necessary properly to discharge the duties imposed upon him by the provisions of this article, including the preparation, publication and delivery of the pamphlets herein provided for, and the same shall be paid for as provided in Section 362.

399. (342). NAMES PRINTED ON BALLOT IN ALPHABETICAL ORDER.—The names of all candidates for the same office shall be printed together in alphabetical order according to surnames. But the order in which the titles to the several offices to be filled shall be arranged upon the ballot shall be left to the discretion of the officer in charge of the printing of the said ballot.

400. (343). SEPARATE BALLOTS FOR EACH POLITICAL PARTY; CAPTION OF BALLOT; DIRECTIONS ON BALLOT.—Separate official ballots for each political party shall be printed and furnished for use at each election precinct, and shall be of a different color for each of the political parties participating in the primary election. All ballots for the same political party shall be alike, printed in plain type, and upon paper so thick that printing cannot be distinguished from the back.

Across the top of the ballot shall be printed the words "Official Primary Election Ballot." Beneath this heading shall be printed the year and date upon which said election is held and the words "Democratic Party" or "Republican Party," or other proper party designation. Above the caption of each ballot there shall be two stubs, with a perforated line between them, and with a perforated line between the lower stub and the top of the ballot. On each of said stubs shall be printed the words "Official Ballot Number....." with a sufficient space beneath such words for the writing of one line.

Each group of candidates to be voted on shall be preceded by the designation of the office for which the candidates seek nomination, and in the proper place the words "Vote for one" or "Vote for two" (or more, according to the number to be elected to such office at the ensuing election.)

(As amended by Chapter 13761, Acts of 1929.)

401. (344). FORM OF BALLOT.—The names of candidates for each office shall be printed in alphabetical order according to surnames, and except as to the order in which the several offices to be filled are stated, official ballots for primary elections shall be printed in substantially the following form:

OFFICIAL BALLOT NO.
 OFFICIAL BALLOT NO.
 OFFICIAL PRIMARY ELECTION BALLOT

June 8th, 1914

DEMOCRATIC PARTY

Precinct Number 1, Alachua County

Instructions: To vote for any candidate make a cross
 (X) at the right of his name.

For Governor

Vote for one

WILLIAM JONES

CHARLES SMITH

JOHN WILLIAMS

For United States Senator

Vote for one

FRANK ANDERSON

JOSEPH BROWN

For Sheriff

Vote for one

BENJAMIN THOMPSON

DAVID WALKER

SAMUEL YOUNG

For Representative in the Legislature

First Group

Vote for one

GEORGE MOORE

THOMAS SELDON

For Representative in the Legislature

Second Group

Vote for one

WILLIAM KING

THOMAS MOORE

JAMES SIMPSON

GEORGE WHITE

(As amended by Chapter 13761, Acts of 1929.)

402. (345). ELECTOR TO RECEIVE BALLOT OF
 THE POLITICAL PARTY DESIGNATED IN REGISTRA-
 TION BOOK.—Any qualified elector who is also a member
 of a political party, as herein defined, participating in a
 primary election, shall be entitled to vote at such primary
 election and shall receive the official primary election ballot
 of the political party designated in his registration, and no
 other; Provided, That an elector who shall have voted, at
 the next preceding general election, for any nominee of any
 political party for any office for which a nomination is re-
 quired to be made by the provisions of this article, shall not

be entitled to receive or vote the ballot of a different political party at such primary election.

403. (346). VOTING BALLOT; INSPECTORS CLOTHED WITH POLICE POWERS.—Before any ballot is delivered to any voter, one of the inspectors shall write the consecutive number of the ballot in the blank space on each of the stubs after the word "Number." He shall also write upon the upper stub the name of the voter to whom the ballot is delivered, and shall write his own initials upon the lower stub. The inspector shall then detach and retain the upper stub with the name of the owner written thereon; thereupon the voter shall retire to the booth and mark his ballot preparatory to depositing it in the ballot box. After the voter has marked his ballot, he shall fold it so as to leave the stub visible and in such position that it may be detached without unfolding. When the prepared ballot is returned, the inspector shall compare it with the stub he has retained, and if he finds it to be the same ballot delivered to the voter he shall then deposit his folded ballot in the ballot-box. But if the marked ballot returned by the voter proves to be a different one from the one delivered to him, the inspectors shall then and there search the person of the voter proffering such ballot, and, if the original ballot is found on or about his person, shall take same into their possession and discharge said voter from the polling place without permitting him to vote. Inspectors of primary elections are hereby clothed with such police powers as may be necessary to carry out the provisions of this section.

404. (347). PERSON OFFERING TO VOTE MAY BE CHALLENGED BY ANY ELECTOR; OATH OF CHALLENGED PERSON; DETERMINATION OF CHALLENGE.—Any person offering to vote at a primary election may be challenged by any elector. It shall not be necessary for the elector entering the challenge to state any reason or ground therefor. Upon a challenge being entered against the right of any person to vote, it shall be the duty of the inspectors of the election immediately to deliver to said challenged person the following form of affidavit:

State of Florida,
County of

I do solemnly swear that my name is;
that I am a member of the party,
and at the last general election I did not vote for any
nominee of any other party; that my occupation is that
of; that I am
years old; that I was born in the State of

or the country of that my residence
 is on street, in the town or city of
 , in this election precinct of
 county; that I personally made
 application for registration and signed my name, and that
 I am a qualified elector.

Sworn to and subscribed before me this day of
 , 19

Inspector of Elections.

Authority is hereby conferred upon any of the inspectors or clerks of election to administer the foregoing oath. If the person applying to vote refuses to make and sign the affidavit herein prescribed, the inspectors shall refuse to allow him to vote. If, however, the challenged person fills in the blanks in the said affidavit, it shall then be the duty of the inspectors and clerk of election carefully to compare the information which he has written in the affidavit with the information entered in the registration book opposite the name of the person whom the challenged person represents himself to be, and upon such comparison, and upon comparison of the signatures in the registration book and on the affidavit, and upon the taking of any other evidence which may then be offered, it shall be the duty of the inspectors of election to decide by majority vote whether the challenged person shall be permitted to vote; Provided, That if the challenged person be unable to write or sign his name, the inspectors shall then ascertain by examination of the precinct register whether the person registered under the name of such person is represented thereby to have signed his name. If he is so represented, such person shall be denied permission to vote without further examination; but if not, then one of the inspectors shall place such person under oath and orally examine him upon the subject matters contained in the affidavit prescribed by this section. If there is any doubt in the mind of any inspector as to the identity of such person, the inspectors shall also compare the appearance of such person with the description entered upon the precinct register, opposite the name of the elector who such person represents himself to be. Said inspector shall then proceed as in other cases to determine whether the challenged person shall be permitted to vote.

405. (348). COUNTING VOTES.—At the close of the primary election at each polling place, the inspectors and clerk shall proceed in the manner provided by law in the

case of general elections, except as herein otherwise provided.

(As amended by Chapter 13761, Acts of 1929.)

406. (349). INSPECTORS TO CERTIFY TALLY BOOKS; FORM OF CERTIFICATE.—The canvass being completed, the results shall be publicly proclaimed. Two tally books shall be used to show the result of such election by the inspectors and clerks at each and every election precinct, which shall contain the name of each person voted for each office and the number of votes cast for each person for such office.

The inspectors and clerk shall certify the tally books, which certificates they shall sign, one of which tally books shall be by one of the inspectors delivered without delay, securely sealed, to the supervisor of registration, and the other to the county judge of the county. And the poll lists and oaths of the inspectors and clerks, together with all ballot boxes, ballots, ballot stubs, memoranda and papers of all kinds used by the inspectors and clerks also be transmitted, sealed up by the inspectors, to the supervisor of registration to be filed in his office, and carefully preserved by him until after the next succeeding general election.

The certificate provided for in this section shall be in substantially the following form:

State of Florida,

County.

We, the undersigned, inspectors and clerk of Election Precinct No. County, Florida, do hereby certify that the within tally of the votes as shown by this tally book is correct; that there have been placed back in the ballot box and returned to the supervisor of registration unused ballots of the party and ballots of the party.

Witness our hands and seals this day of , 19

Inspectors.

Clerk.

(As amended by Chapter 13761, Acts of 1929.)

407. (350.) COUNTY CANVASSING BOARD; CANVASS OF RETURNS.—On the third day after any primary election, or sooner, if the returns shall have been received, it shall be the duty of the county judge and the supervisor of registration to meet at the office of the said supervisor of registration and take to their assistance the chairman or other members of the Board of County Commissioners; and in the case of absence, sickness, refusal to act, or other disability of the county judge or supervisor of registration, another member of the Board of County Commissioners who shall be designated by the chairman of said board, shall act in his place, who shall constitute and be the county canvassing board of primary elections; and they shall proceed publicly to canvass the vote given for the several nominations and the persons as shown by the returns then on file in the office of such county judge and supervisor of registration. Such canvass shall be made solely, exclusively and entirely from the returns and certificates of the inspectors in each election district, as signed and held by them with the county judge and supervisor of registration, respectively, and in no case shall the board of county canvassers change or vary in any manner the number of votes cast for the candidates, respectively, in any polling place in the county, as shown by the returns of such polling place, provided that all returns shall be made to the said county canvassing board on or before the said third day after such primary election, and if not so returned the vote of all missing precincts shall be ignored and the results as shown by the returns then on file shall be certified as in this Act provided.

(As amended by Chapter 13761, Acts of 1929.)

408. (351). CERTIFYING RESULTS.—The county canvassing board of primary elections shall compile the results of the primary election as shown by the returns of the inspectors and shall then make and sign duplicate certificates containing in words written at full length and in figures the whole number of votes cast for each nomination, the names of the persons for whom such votes were cast for such nomination and the number of votes cast for each person for such nomination. Such certificates shall be recorded by the supervisor of registration in a book to be kept by him for that purpose, which book shall be furnished by the county commissioners and shall be labeled "Record of Primary Election Returns." One of such duplicates, in so far as they relate to offices the candidate for which shall have been voted for in more than one county, shall be immediately transmitted to the Secretary of State and the other to the

Governor of the State. The Supervisor of Registration shall transmit by mail to the Secretary of State immediately after the county canvassing board shall have canvassed the returns of the second primary election a list giving the names of all county officers nominated, the office for which each was nominated, with the post office address of such nominee in their respective counties.

(As amended by Chapter 13761, Acts of 1929.)

409. (352). STATE CANVASSING BOARD; CANVASS OF RETURNS.—On the tenth day after the holding of any primary election, or sooner, if the returns shall have been received from the several counties wherein a primary election shall have been held, the Secretary of State, the Comptroller and the Attorney General, or any two of them, shall meet at the office of the Secretary of State, pursuant to notice to be given by the Secretary of State, who shall constitute and be the State canvassing board of primary elections, and they shall proceed publicly to canvass the returns of said primary elections then on file and determine and declare who shall have been nominated as shown by such returns, provided, that such canvass of returns shall not be delayed by reason of the absence of any returns but said canvassing board shall canvass and declare the result from the returns then on file with the Secretary of State.

(As amended by Chapter 13761, Acts of 1929.)

411. (354). DETERMINATION OF RESULT OF FIRST AND SECOND PRIMARY ELECTIONS.—If any candidate for an office shall receive a majority of the votes cast for such office in the first primary election provided for herein he shall be declared nominated for such office. If no nomination is made as hereinbefore in this section provided then there shall be held a second primary election on the fourth Tuesday after the first Monday in June of every year in which a general election is held for the nomination of all candidates of all political parties for State and county offices for which nominations were not made in first primary election provided for in this Act, which said second primary election shall be held and conducted and the returns thereof made, canvassed and certified, and the ballots to be voted therein furnished, as in this Act provided for first primary election, provided, that there shall be printed upon the ballot prepared for second primary elections only the names of candidates who shall have received in the first primary election the greatest and next greatest or equal number of votes and provided further, if more than two candidates

shall have received the greatest or next greatest or equal number of votes in the first primary election the names of all such candidates shall be printed upon the ballots for the second primary election. If in the second primary election any candidate shall receive a majority of the votes cast therein for such office he shall be declared nominated for such office, but if no candidate shall receive a majority of the votes cast therein for such office it shall be the duty of the appropriate canvassing board to immediately notify the chairman of the State, congressional or county executive committee, as the case may be, to that effect, and it shall thereupon be the duty of such chairman to call a meeting of the appropriate committee within ten days, giving written notice to the members thereof of the time, place and purpose of such meeting, at which meeting said committee shall have the power to nominate, by majority vote, a candidate for such office and certify same immediately thereafter to the Secretary of State or Board of County Commissioners, as the case may be, who shall cause the name of such nominee to be placed upon the official ballot to be voted at the ensuing general election, and all nominations so made and certified shall have the same force and effect and shall entitle the nominee to all rights and privileges as though such nominee had been regularly nominated in the primary election provided for in this Article.

In the event no candidate for State Senator in a senatorial district composed of more than one county receives a majority of the votes cast in the primary election herein provided for it shall be the duty of the Secretary of State to notify the chairman of the State executive committee of the party involved within ten days after the canvass of the returns of said primary by the State Canvassing Board, whereupon it shall be the duty of such chairman to call a joint meeting of all members of the executive committee of the counties in such district to be held at a place in one of such counties to be named by said chairman not less than forty-five days prior to the next ensuing general election. At such joint meeting the members present, which shall not be less than a majority of all the committee men from such counties, shall nominate a candidate of the party for State Senator and shall certify such nomination to the Secretary of State, who shall deal with the same as though such nomination had been made in a regular primary election. All nominations for State Senator by this joint committee for the counties comprising one senatorial district as in this section provided, shall have the same force and effect and

shall entitle the nominee to all such rights and privileges as if he had been nominated in the regular primary election. In the event of the death, resignation or removal of any person nominated for office in a primary election between such primary election and the ensuing general election or if for any cause there is a vacancy in any nomination, no method is otherwise provided herein for filling such vacancy, then and in that event, the procedure shall be the same as is hereinbefore provided for the nomination of candidates in case no candidate receives a majority of the votes cast in the primary election. Such nominations shall have the same force and effect and shall entitle the nominees to all the rights and privileges which would accrue to them as if they had been nominated in the regular primary election.

(Agreed to by Chapter 1376 of the Laws of 1924.)

413. (356). WHEN TWO TO BE NOMINATED NAMES TO APPEAR IN GROUPS. In the event more than one candidate is to be nominated for the same office and there are more candidates than should be nominated therefor, there shall be as many groups of candidates for that particular office as there are candidates to be nominated and each candidate for such office, in addition to the sworn statement required by Section 333, shall indicate therein the group in which he desires his name to appear on the ballot, and his name shall be numerically designated; Provided, however, that candidates for delegates to national conventions shall not be nominated by groups, but by plurality vote.

414. (357). NAMES OF SUCCESSFUL CANDIDATES PRINTED ON GENERAL ELECTION BALLOT. The Board of County Commissioners of each county shall cause to be printed on the ballots to be used in the respective counties at the next general election the names of all candidates who have been nominated as herein provided for offices to be voted for within such county at said general election.

415. (358). CERTIFYING NAMES TO COUNTY COMMISSIONERS. The Secretary of State, not less than thirty days before the next general election, shall certify to the Board of County Commissioners of each county in the State, in case of an officer to be voted for by the electors of the whole State, and to the Board of County Commissioners of the counties composing a congressional senatorial

other district, in case of any officer to be voted for by the electors of any such district containing more than one county, upon suitable blanks to be prepared by him for that purpose, the fact of such nomination and the names of the nominee or nominees and the name of the office to which he or they may be nominated, and the name of such persons shall be printed by the Board of County Commissioners upon the ballot at the proper place in all respects as herein provided for nominations filed in the office of the Board of County Commissioners.

416. (359). CONTESTS.—All contests over the result of a primary election shall be determined according to the law applicable to like contests over the results of a general election.

The county canvassing board are hereby declared to be the proper parties defendant in all matters affecting the accuracy of the election returns.

417. (360). PENALTY FOR ASSUMING NAME OTHER THAN REGISTERED NAME.—No registered voter shall call himself or pass by any other name than the name by which he is registered. Nothing in this section shall prevent the alteration of names by the circuit court, as provided by law, and when the name of anyone is changed by the order of said court, he shall notify the supervisor of registration of the fact that his name has been changed. Anyone violating this section shall be punished by imprisonment in the state prison not exceeding five years.

418. (361). WORDS AND PHRASES DEFINED.—The words and phrases in this article shall, unless such construction be inconsistent with the context, be construed as follows:

1. The word "voter" shall have the same meaning as the word "elector."

2. The words "precinct" and "election precinct" shall have the same meaning as the words "district" or "election district" as now defined by law.

3. The words "primary" and "primary election," the primary nominating election provided by this article.

4. The words "election" and "general election," the general State and county election held in November.

419. (362). GENERAL ELECTION LAW TO APPLY.—The primary elections required by this article, except as

herein otherwise provided, shall be held in accordance with the provisions of Article I, Chapter 1, of Title IV, First Division of these Compiled General Laws; Provided, however, That county commissioners and members of the board of public instruction shall be nominated by the several districts of the county instead of by the county at large.

420. (363). PRIMARY ELECTION IN MUNICIPALITY.—Whenever any political party in any municipality in this State shall have determined by its city committee, or in the absence of a city committee, then by its county committee, to hold a primary election for the nomination of candidates for city offices, such primary election shall be held in all respects in conformity with the provisions of this article, so far as said provisions can be made to apply. In any case where there is no city committee of the political party within any city where a primary election is to be held, the county committee for such county shall make provision for and designate a city committee to serve until their successors shall be elected at the city primary. The city committee shall call and make all necessary regulations for the holding of such primary to the same extent that county committees are authorized to do under the provisions of this article.

421. (364). SWORN STATEMENTS OF CAMPAIGN EXPENSES.—That each and every candidate for nomination in a primary election be and he is hereby required to file in the office of the clerk of the circuit court of the county in which he resides, if he is a candidate for State Senator, Representative in the Legislature or for any county office or position or in the office of Secretary of State, if he is a candidate for a National or State office or position, detailed itemized statements of his campaign expenses, to-wit: Not more than thirty days nor less than twenty-five days prior to the first primary election, also not more than twelve nor less than eight days prior to the first primary election and within ten days after the second primary election. He shall so file statements giving in itemized detail form, including names, items and detail amounts covering all of the expenditures made directly or indirectly by him or by any other person, or persons, corporations or associations, acting for him or in behalf of his candidacy with his knowledge, or with his actual or tacit consent, all obligations, debts or liabilities, assumed or incurred on account of his candidacy up to three days prior to the day on which such statements are presented to be filed which shall include the names of all contributors to his candidacy, with amount given by

of Florida, 1927; provided, however, that County Commissioners and members of the Board of Public Instruction shall be nominated by the several districts of the county instead of by the county at large. (Chapter 19781, Laws of 1929)

SECTION 42. CAMPAIGN STATEMENTS TO BE KEPT FOR THREE YEARS.—Whenever any officer or candidate for office has been elected or appointed to any office, he shall file with the officers with whom the statements of campaign expenditures are filed under the provisions of Section 42, the statements of his receipts and disbursements, and shall retain a copy of such statements for at least three years from the date upon which filed, and a copy of such statements duly certified to by the officer with whom filed shall be admissible as competent evidence before any of the courts of this State.

the last statement required in Section 42 is given another statement shall be deemed to be under oath and each and every candidate voted upon in any State or county primary election in holding the name of his or her political workers and telling to what consideration if any such work was done, done for such work as between the 1st of January 1912 to the 1st of January 1913 to refer to those who left to the State or to those who left to the State or to the time of year or of time their ordinary vocations for a further period of time as a non-political person and of his candidacy. This statement shall be filed in the office of the clerk of the circuit court of each and every county of the Secretary of State, according to whether candidate

[illegible]

LESS THAN TEN THOUSAND SEVEN HUNDRED AND NOT MORE THAN ELEVEN THOUSAND.—When candidates for the office of member of the Board of County Commissioners or candidates for the office of member of the County Board of Public Instruction of Counties of the State shall appear at a public hearing on a year and a day prior to the day of the election, they shall be required to

sand Seven Hundred and not more than Eleven Thousand according to the last official Census, are to be nominated in a Primary election, such candidates shall be nominated by the result of the vote of the electors throughout the entire County.

427. COUNTIES HAVING POPULATION OF NOT LESS THAN FOURTEEN THOUSAND SEVEN HUNDRED AND NOT MORE THAN FIFTEEN THOUSAND.—When candidates for the office of member of the Board of County Commissioners and candidates for the office of member of the County Board of Public Instruction in counties of the State of Florida having a population of not less than fourteen thousand and seven hundred and not more than fifteen thousand according to the last State Census, are to be nominated in a primary election. Such candidates shall be nominated by the result of the vote of the electors throughout the entire county.

428. COUNTIES HAVING POPULATION OF NOT LESS THAN TEN THOUSAND FOUR HUNDRED AND NOT MORE THAN TEN THOUSAND FIVE HUNDRED.—When candidates for the office of member of the Board of County Commissioners or candidates for the office of member of the County Board of Public Instruction in Counties of the State of Florida having a population of not less than Ten Thousand Four Hundred and not more than Ten Thousand Five Hundred according to the 1925 State census, are to be nominated in a Primary election, such candidates shall be nominated by the result of the vote of the electors throughout the entire County.

429. (368). WHEN QUALIFIED ELECTORS MAY VOTE IN ANOTHER PRECINCT.—It shall be lawful for any qualified elector of the State of Florida who may, on the occurrence of any general or primary election hereafter held pursuant to law in this State, be unavoidably absent from his county because his duties or occupation require him to be elsewhere within the State, to vote in any voting precinct in the State where he may present himself for that purpose on the day of such election or primary under the regulations hereinafter prescribed, with like effect as though he were casting his vote in his own county and voting precinct.

430. (369). HOW BALLOT PROCURED; OATH REQUIRED; METHOD OF VOTING.—The voter so entitled to vote shall present himself at the polls in any precinct in the State where he may be on such primary or general elec-

tion day, during the regular voting hours provided by law, and before being allowed to vote, such voter shall present a certificate of registration certified to by the registration officer of the county or precinct in which he resides, together with poll tax receipts for the two years prior to the date of such election where poll tax is required by law, to be furnished to any registered and otherwise qualified voter by the proper officer upon demand prior to election day, and shall be identified in person to the election inspections in the precinct where he offers to vote, by one or more resident voters in such precinct, and in addition make and subscribe before one of the election inspectors an affidavit in substance as follows:

"State of Florida,
County of.....

I do solemnly swear that I have resided in the State of Florida for one year, and in County for six months; that I am a duly qualified voter in Precinct of said county; that I am a citizen of the United States and a qualified elector under the laws of the State of Florida, that I am a member of the party, and that because of my duties as I am required to be absent from my county and precinct on this day. I have had and will have no opportunity to vote there, and that I have not voted elsewhere at this election."

Any inspector of elections in any voting precinct in the State is hereby authorized to administer the oath and take and certify the affidavit. Thereupon the affiant shall be given an official ballot, printed like the other official ballots as to national and State candidates, constitutional amendments, county and district candidates, and such voter shall write in the name of such candidates in the blank space left for that purpose not printed thereon as he may desire to vote for and mark the same as any resident voter, as prescribed by the general election and primary election laws of the State of Florida, and shall fold the same and hand it to the inspectors of election, but such ballot shall not be deposited in the ballot box, nor be entered upon the poll books. It shall, together with the affidavit, be securely sealed in an envelope, upon the back of which one of the inspectors of election shall write: "The ballot of , an absent voter of Precinct, in the county of," which shall be signed by the inspectors of election.

431. (370). VOTES MAILED TO COUNTY JUDGE.
—All such envelopes shall, by the inspectors of election, be

filed immediately with the county judge of the counties where such votes were cast with the other election returns of such primary or general elections and receipt taken therefor, and said county judge shall immediately mail them by special delivery postage prepaid to the county judge of the respective counties where such voters belong.

432. (371). **CANVASSING ABSENT VOTER'S BALLOT.**—The county judge of the county where such absent voter resides shall receive such ballot and shall safely keep and preserve same unopened in his office until the board of county canvassers canvass the vote according to law, at which time the board of county canvassers, in the presence of the county judge, and no other person shall open said envelope and record the said ballot upon the poll book of the proper precinct in their possession in the same manner as clerks of elections record votes, provided said canvassing board shall find the name of such absent voter duly registered among the voters of such precinct, as required by law in other cases of resident voters, and in so canvassing the vote of all absent voters taken as herein provided, which shall appear to have been duly registered as required by law in their respective precincts, and add the same to the total of the poll sheet in arriving at the total result of the election in the precinct where the voter lives.

433. (372). **BALLOTS KEPT IN COUNTY JUDGE'S OFFICE.**—Said ballot after being so opened and counted by the county board of canvassers shall be sealed in an envelope with the endorsement thereon: "Vote of ^{absent voter of} Precinct (or Ward of City.)" and the same shall be kept in the county judge's office as other ballots are kept until destroyed according to law, and in case of contested elections, the same shall be opened and counted as in other cases, but in case the board of county canvassers shall not find the name of such absent voter registered among the voters of his precinct, one of such board shall endorse on the envelope containing the ballot "Not Registered," and such ballot shall not be counted or removed from the envelope, and the envelope and the ballot therein shall be preserved by the county judge in his office, as in case of a ballot that has been so counted.

434. (373). **REGISTRATION OFFICER TO SUPPLY FORM.**—Every county registration officer shall supply the inspectors of election with a reasonable number of printed forms of affidavits of the character described in Section 430.

443. MANNER AND CONDITIONS UPON WHICH ABSENT VOTERS MAY VOTE.—Any qualified elector of the State of Florida, who may be absent from his or her home county on the occurrence of any general, special or primary election hereafter held pursuant to law in this State, whether National, State, County, District or Municipal, may vote at such election in the manner and upon the conditions hereinafter provided.

446. PROCURING OF BALLOT IN MONTH REQUIRED; METHOD OF VOTING.—Any qualified elector who expects to be absent from his or her home county on the day of any election hereafter held, may apply in person to the County Judge of his or her home county, or to the Clerk of the Municipality in case of municipal elections, for an official ballot to be used at his or her voting precinct or ward at such election, and it is hereby made the duty of all County Judges in this State, and of the several clerks of the municipalities in the State, in case of municipal elections, to furnish one such official ballot to each elector so applying therefor at any time not more than fifteen days nor less than three days next prior to the day of such election, upon satisfactory proof of such County Judge or Municipal Clerk, as the case may be, that the applicant therefor is qualified to vote at such election and upon such elector taking and subscribing to the following oath or affirmation which is to be printed upon the front of large envelopes to be furnished to the several County Judges and Municipal Clerks for that purpose, to be deposited in such ballot box for the voting precinct.

State of Florida, County of _____
 I, the undersigned, do hereby solemnly swear that I have resided in the State of Florida for one year and in the County, City or Town of _____ for six months; that I am a duly qualified voter in precinct or ward No. _____ of said county or municipality; that I am a citizen of the United States and a qualified elector under the laws of the State of Florida; that I expect to be absent from my home County of _____ on the occasion of the election to be held in the said election to be held in the said day, at the purpose of voting for the purpose of _____ and I will not have any person to vote for me personally and I will not put my name on the said ballot box so sealed in the blank envelope to be opened and counted by the canvassing and counting all of the voters sworn to in said election before me this _____ day of _____, hereat given or oath presented by such inspectors and delivered by them to the canvassing board of _____ County Judge or Municipal Clerk.

Such oath or affidavit shall be taken and signed before such County Judge or Municipal Clerk, as the case may be, and the several municipal clerks are hereby authorized to administer such oaths.

The said elector shall then and there and at the time of receiving such ballot, mark the same as required by law in such cases, and after folding the same, shall securely seal such ballot in a plain envelope, to be furnished him by such County Judge or Municipal Clerk, which said ballot so sealed in a plain envelope shall then and there in the presence of such County Judge or Municipal Clerk be sealed in the envelope on which is contained the oath or affidavit so taken and subscribed by him as hereabove provided, and upon the back and across the flap of which shall be written or printed the following:

"The ballot of _____, an absent voter of precinct or ward No. _____ of _____ Florida," with the blanks properly filled in and signed across the flap by both such elector and County Judge, or Municipal Clerk, in the presence of each other."

Said ballot so marked and sealed shall thereupon be deposited with and received by such County Judge, or Municipal Clerk, as the case may be, whose duty it is hereby made to safely keep and preserve the same in his possession until such time as the official ballot box for the voting precinct, or ward, of such elector is prepared when the same shall be deposited in such ballot box for the voting precinct, or ward of such elector, together with the other contents thereof as required by law. Upon opening the ballot box preparatory to opening the polls at such election, the inspectors and clerk of such election for the several precincts and wards shall take from the several ballot boxes all such ballots so voted by absent voters, and if, and only when, it is found upon an examination of the registration books and poll list furnished such inspectors, or other sufficient evidence, that such elector is qualified to vote at such election, then the said electors shall, after the said ballot box has been closed and locked for the purpose of voting, thereupon break the seal of the outer envelope containing said vote and deposit said ballot in the said ballot box, but leaving such ballot sealed in the blank envelope to be opened and counted by such inspectors in canvassing and counting all of the votes cast at such election. The outer envelope containing the affidavit or oath herein provided shall be carefully preserved by such inspectors and delivered by them to the canvassing board for said election along with the returns thereof. In

case it be found by the inspectors that such elector, so attempting to vote, is not qualified or entitled to vote at such election, then and in such event the said ballot shall not be deposited in said ballot box, but shall be left in the outer envelope and by them delivered to the canvassing board, along with their returns of the election, and also with a notation on said envelope of their reasons for not depositing said ballot in the ballot box. Provided that no elector shall be allowed to vote under the provisions of this law later than three days immediately preceding the day on which such election is held, and provided further that all ballots so voted shall be secret.

437. DUTY OF OFFICIALS TO HAVE PRINTED ABSENT VOTERS' BALLOTS AND ENVELOPES.—For the purposes of this law it is hereby made the duty of the several officers, whose duty it is to prepare and have printed the official ballot to be used at any election hereafter held in this State, to prepare a sufficient number of ballots, in all respects identical with the official ballot, to be used as absent voters' ballots, which said absent voters' ballots shall be by such official or officials delivered to the several County Judges, or Municipal Clerks, as the case may be, not later than fifteen days immediately prior to the day on which such election is held. The number of such absent voters' ballots to be furnished may be determined by the several County Judges, or Municipal Clerks. It is also made the duty of the several officials, whose duty it is to prepare and have printed the official ballots for any election, to also prepare a sufficient number of envelopes with the affidavit and endorsement herein provided printed thereon, and to furnish the same in sufficient number as determined by the several County Judges and Municipal Clerks, at the same time of furnishing the absent voters' ballots as herein provided.

438. EFFECT OF DEATH OF VOTER BEFORE HOUR FOR OPENING POLLS.—In case any elector who votes under the provisions of this law shall die or become otherwise disqualified as an elector before the hour of opening the polls on the day of such election, the ballot of such elector shall not be opened or counted in such election, but shall be by the inspectors preserved in the condition in which the same is found in the ballot box, with the notation on the outer envelope containing the same of the fact of the death or disqualification of such elector, and by them delivered to the canvassing board of such election, along with their returns.

[illegible]

§ 37. (5) PENALTY FOR RECEIVING ELECTOR PREPARATION. Any inspector who shall wilfully deceive any elector in preparing his ballot shall, on conviction thereof, be imprisoned in the penitentiary not less than one nor more than five years.

Whoever fraudulently and deceitfully changes the vote or ballot of any elector by which such elector shall be precluded from voting such ballot or for such person as he intended shall be punished by imprisonment not exceeding six months, or by fine not exceeding one hundred dollars.

708189 and 75764d 'PENALTY FOR DISCLOSING HOW
AN ELECTOR VOTES. Any person who shall disclose
how any elector may have voted, unless upon a trial in a
court of competent jurisdiction he be so required, shall
be fined not less than ten dollars nor more than one hundred dollars.

INSPECTORS OF ELECTIONS REFUS-
ING TO ALLOW WATCHERS WHILE BALLOTS ARE
BEING COUNTED. That the inspectors and managers at
all general and special elections and all regular or special
primaries shall permit and allow, at all times while the bal-
lots are being counted, so many as three persons to be suffi-
ciently near to them to see as to whether or not the ballots
are being correctly read and called, and the count of the
votes correctly tallied, and any manager or inspector of an
election who denies to voters this privilege to any person
shall be guilty of a misdemeanor. And upon conviction shall
be punished by a fine of not exceeding one hundred dollars
or by imprisonment not extending six months.

SECTION 14. (3878) CALLING OUT MILITIA. ELECTION DAY. If any officer or other person shall call out or order out any of the militia of this State to appear and exercise on any day during an election, except in cases of invasion or insurrection, or except in accordance with some civil magistrate, to suppress riots or to enforce the law, he shall be fined not exceeding five hundred dollars, and be deprived of his office.

8142. (5879). **PENALTY FOR NEGLIGENCE OF DUTY BY DEPUTY SHERIFF, OR OTHER OFFICER.**—Any deputy sheriff or other officer who shall wilfully neglect or refuse to perform any duty imposed on him by the laws of Florida relating to elections at the time or within the time therein specified, shall be punished by a fine of not more than five hundred dollars or by imprisonment not more than six months.

8143. (5880). **VIOLATION OF DUTY BY COUNTY CANVASSING BOARD.**—Any member of the county canvassers of election who shall wilfully violate any of the provisions of law relating to canvassing the result of any election shall be punished by fine not less than two hundred and fifty dollars nor more than one thousand dollars, or imprisonment in the State penitentiary not more than three years.

8144. (5881). **SUPERVISOR OF REGISTRATION FAILING TO DELIVER BOOKS AND PAPERS TO SUCCESSOR.**—Any supervisor of registration who wilfully fails or refuses to promptly comply with the demand of his successor for the delivery of the registration books and papers and blanks connected with or belonging to his office, shall be punished by a fine not to exceed one thousand dollars, or by imprisonment not exceeding six months.

8145. (5882). **DISTRICT REGISTRATION OFFICER FAILING TO DELIVER BOOKS AND PAPERS.**—Any district registration officer who shall wilfully fail or refuse to promptly comply with the demands of the supervisor of registration to deliver up the registration books and papers, shall be punished by fine not exceeding five hundred dollars or imprisonment not exceeding six months.

8146. (5883). **TAX COLLECTOR FAILING TO REPORT THE POLL TAX PAID HIM.**—Any tax collector or any deputy tax collector who shall fail or refuse to comply with Section 304, or with any of the provisions of the election law, shall be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding one year.

8147. (5884). **PENALTY FOR FALSE CERTIFICATE.**—Any person who shall falsely make or fraudulently destroy any certificate of nomination or any part thereof, or file any certification of nomination, knowing the same, or any part thereof, to be false, or suppress any nomination which has been duly filed, or any part thereof, shall be imprisoned in the penitentiary not less than one nor more than five years.

8148. (5885). SECRETARY OF STATE FAILING TO CERTIFY NOMINATION.—The Secretary of State who shall wilfully fail or refuse to certify the nomination as provided by law shall be fined not more than one thousand dollars and in event of such failure or refusal, such certificate shall be made by the State Comptroller.

8149. (5886). PENALTY FOR OFFICERS AFTER BEING SWORN IN.—Any officer or officers after being sworn in who wilfully and knowingly neglects, fails or refuses to perform the duties prescribed in the laws regulating election, shall be fined not less than fifty nor more than two hundred dollars, or by imprisonment not less than sixty days, nor more than six months, unless otherwise provided by law.

8150. (5887). RECEIVING POLL TAX BY COLLECTOR FROM PERSON OTHER THAN PERSON ASSESSED; ISSUING RECEIPT WITHOUT PAYMENT IN ADVANCE; PROVISIO.—Any tax collector or person acting under his authority or direction, who receives or permits to be received any money or other thing of value in payment of poll or capitation taxes, from any person, firm, association or corporation, either by check, draft or any other method of payment or any tax collector issuing a poll tax receipt without payment in advance therefor, other than the person whose poll or capitation taxes is to be paid, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by imprisonment in the county jail for not more than three months; provided, that nothing in this section shall be construed to prevent any person paying, or any tax collector from collecting, the poll tax due by another person from any other person, who shall also pay, upon the request of the person owing the poll or capitation tax, the real and personal taxes of the person for whom he offers to pay the capitation or poll tax.

8151. (5888). FRAUD IN CANVASSING PRIMARY ELECTION RETURNS.—If any person whose duty it is to canvass the returns of any primary election held in this State, or to make or tabulate a statement thereof, who shall be deemed guilty of fraud, corruption or misbehavior or of violating any of the laws of this State in canvassing the returns or making the tabulated statement thereof, he shall upon conviction thereof, be fined not more than one thousand dollars, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

8152. (5889). **CORRUPTLY, ETC., INFLUENCING ELECTOR.**—Whoever by bribery, menace, threat or other corrupt means or device whatsoever, either directly or indirectly, attempts to influence any elector in this State in giving his vote or ballot, or to deter him from giving the same, or disturbs or injures him in the free exercise of the right of suffrage at any election within this State, shall be punished by imprisonment not exceeding six months or by fine not exceeding five hundred dollars.

8153. (5890). **DESTROYING BALLOTS.**—Whoever on any day between the commencement of any election and the close of the canvass thereof by the inspectors fraudulently destroys any of the ballots given and received at said election, or takes away or abstracts from any ballot box any of the ballots so given or received, or puts into such ballot box any ballots except such as are properly voted by the electors, or in any manner wilfully inter-mingles with the ballots which shall have been voted by the electors any other ballots, or tickets, which shall not have been duly received by the inspectors, during the election, shall be punished by imprisonment in the State prison not exceeding one year, or by fine not exceeding five hundred dollars.

8154. (5891). **FALSE SWEARING TO ELECTOR'S QUALIFICATIONS.**—Whoever is guilty of wilful and corrupt false swearing, or affirming, when interrogated as to his qualifications as an elector, or when his testimony may be required in any contested election, or whoever wilfully and corruptly procures another person to swear or affirm falsely as aforesaid, shall suffer the pains and penalties of perjury.

8156. (5892). **MAKING FALSE DECLARATION TO SECURE ASSISTANCE IN PREPARING BALLOT.**—Any person who makes a false declaration under the provisions of law providing for assistance in the preparation of his ballot in any election shall be imprisoned in the penitentiary not less than one or more than five years.

8157. (5893). **CASTING ILLEGAL BALLOT.**—Whoever casts knowingly an illegal vote at any election in this State held according to law, shall be punished by imprisonment in the State prison not exceeding six months, or by fine not exceeding one hundred dollars.

8158. (5894). **CASTING MORE THAN ONE BALLOT.**—Whoever casts more than one ballot at the same election shall be punished by imprisonment not exceeding three months or by fine not exceeding one hundred dollars.

8159. (5895). BETTING ON RESULT OF ELECTION.—Whoever makes or becomes directly or indirectly interested in any bet or wager, the result of which shall depend upon any election, shall be punished by fine not exceeding three hundred dollars; provided such bet or wager, or the becoming interested therein, shall occur on or before the day of holding such election.

8160. (5896). FAILURE TO ASSIST DEPUTY SHERIFF AT POLLS.—Any person when summoned or called upon by the sheriff or deputy sheriff, who shall fail or refuse to assist him in maintaining the peace and good order at the polls, shall be fined in a sum not to exceed two hundred and fifty dollars, or be imprisoned not to exceed six months.

8161. (5897). BALLOT NOT TO BE SEEN, AND OTHER OFFENSES.—Any elector who shall, except as provided by law, allow his ballot to be seen by any person; or who shall take or remove or attempt to take or remove any ballot from the polling place, before the close of the polls, or place any mark upon his ballot by which it may be identified, or take into the election booth any mechanical device, ticket or memorandum, printed or written, other than the official ballot or ticket, to enable him to mark said ballot or ticket, or any person who shall interfere with any elector when inside of the polling place or when marking his ballot, or unduly influence or attempt to unduly influence any elector in the preparation of his ballot, or any elector who shall remain longer than the specified time allowed by law in the booth or compartment after having been notified that his time has expired, or who shall endeavor to induce any elector to show how he marks or has marked his ballot, or aids or attempts to aid any elector by any means of any mechanical device whatever in marking his ballot, or shall print or procure to be printed or have in his possession any copy of any ballot prepared to be voted, shall be fined not less than ten nor more than one hundred dollars, or be imprisoned not more than three months. Any ballot marked by the elector for identification shall be rejected.

8162. (5898). TO PREVENT THE USE OF MONEY FOR POLITICAL PURPOSES BY CORPORATIONS.—No foreign or non-resident corporation or corporation organized under the laws of the United States, doing business in this State, nor any domestic corporation, shall pay or contribute, or offer, consent, or agree to pay or contribute, directly or indirectly, any money, property or thing of value to any political party, organization, committee or in-

individual for any political purpose whatsoever for the purpose of influencing legislation or any kind of uniform or defeat the candidacy of any person for nomination, appointment or election to any political office. Any officer, employee, agent or attorney or other representative of any corporation, acting for and on behalf of such corporation, who shall violate this section shall be punished upon conviction by a fine of not less than one thousand nor more than five thousand dollars or by imprisonment in the State prison for a period of not less than two nor more than five years, or by both such fine and imprisonment, in the discretion of the court or judge before whom such conviction is had, and the corporation, if a domestic corporation, is dissolved if, after a proper proceeding upon due warrant in either the circuit or supreme court of the State to be prosecuted by the Attorney General of the State, the court shall find and give judgment that this section has been violated as charged, and if a foreign or non-resident corporation its right to do business in this State ceases. The violation of this section by any officer, employee, agent, attorney or other representative of a corporation shall be prima facie evidence that such officer, employee, agent, attorney or other representative of such corporation is acting for and in behalf of such corporation.

8163. (5399) PENALTY FOR AIDING OR ABETTING. Any person or persons who shall aid, abet or advise a violation of the preceding section shall be punished in like manner as the principal offender.

8164. (5900) WHERE VIOLATION IS TO BE PROSECUTED. Violations of the two preceding sections shall be prosecuted in the county where such payment or contribution is made.

8165. (3901) THREATS OF EMPLOYERS TO CONTROL VOTES OF EMPLOYEES.—It shall be unlawful for any person or persons, firm, joint stock company, association or corporation, organized, chartered or incorporated by and under the laws of this State, either as owner or lessee, having persons in their service as employees, to discharge any employee or employees, or to threaten to discharge any employee or employees in their service for voting or not voting in any election, State or municipal, for any person as candidate or representative of any of the people. Any person or persons, firm, joint stock company, association or corporation, organized, chartered or incorporated under the laws of this State or operated in this

State, violating any of the provisions of this section, shall pay a fine of not more than one thousand dollars.

8166. (5902). ACTING AS OFFICER OR AGENT.—Any person acting as an officer or agent of any firm, joint stock companies, associations or corporations of any kind and character hereinbefore described, or any one of them who makes or executes any notice, order or threat of the kind hereinbefore forbidden in the next preceding section shall pay a fine of not more than five hundred dollars, or be imprisoned not more than six months.

8167. (5903). UNLAWFUL FOR ONE PERSON TO PAY POLL TAX OF ANOTHER; PROVISIO.—Any person or corporation in this State that shall pay the poll tax for any other person, or furnish the money to any other person for the purpose of paying such other or any other person's poll tax, except that one person may pay the poll tax of another; provided, the person paying such poll tax shall at the same time pay the taxes assessed and payable on the real and personal property belonging to the person whose poll tax is being paid, shall upon conviction be fined in a sum not more than five hundred dollars, or imprisoned in the county jail for not more than six months.

8168. (5904). UNLAWFUL USE OF MONEY IN ELECTION TO CHANGE COUNTY SITE.—Any person or persons, firm or corporation using money, goods or chattels in any election to change the county site of any county, to secure votes or influence for any place as the county site of any county in this State, shall, upon conviction thereof, be imprisoned in the State penitentiary not exceeding two years.

8169. (5905). CANDIDATES REFUSING TO FILE STATEMENT OF NAMES OF POLITICAL WORKERS.—Any candidate refusing or wilfully failing to obey any of the provisions of Section 423 shall be punished by a fine not to exceeding five hundred dollars, and shall not be allowed to have his name printed on the official ballot at the next ensuing general election according to whether he is a candidate for a State or County office, or for a national office, as the case may be.

8170. (5906). DISTRIBUTION OF LITERATURE, ETC., AGAINST A CANDIDATE ON PRIMARY ELECTION DAY PROHIBITED.—It shall be and is hereby declared a misdemeanor for any candidate or other person to have or distribute, on the day of the primary, at or near

any polling place any cards, pictures, literature, or other writing against any candidate in the primary.

8171. (5907). PERSON, KNOWING HE IS NOT QUALIFIED ELECTOR, VOTING AT PRIMARY.—Whoever knowing he is not a qualified elector, at a primary election, wilfully votes at such primary election, shall, on conviction thereof, be fined in the sum not exceeding one thousand dollars, or be imprisoned in the county jail not exceeding one year, or both in the discretion of the court.

8172. (5908). UNLAWFUL USE OF MONEY, LIQUOR OR OTHER PROPERTY TO INFLUENCE VOTERS AT PRIMARY ELECTION; SECOND OFFENSE; PROSECUTION IN CIRCUIT COURT OR CRIMINAL COURT OF RECORD.—Any persons who shall give, lend, solicit, request, demand or receive directly or indirectly, any money, intoxicating liquor, or any other thing of value, or whatever nature or kind whatsoever, or the promise thereof, either to influence a vote or under pretense of being used to procure the vote of any other person or persons, or to be used at any poll or other place prior to or on the day of any primary election, for or against any candidate for office, shall be deemed guilty of the infamous crime of bribery, and upon conviction thereof in any court of record shall be sentenced to disfranchisement by the judge of such court for a term of not more than ten years, and to the county jail for not less than one year; and for the conviction of a second offense under this section, the first being alleged and proven, such offender shall be, by sentence of the court, forever thereafter disfranchised and deprived of his right to vote at a primary in this State, and to be imprisoned in the State penitentiary not more than five years. Prosecutions may be had under this section by indictment in the circuit court or by information in a criminal court of record, and the effect of a sentence of disfranchisement in either of said courts, both having jurisdiction of offenses hereunder, shall be to deprive such person sentenced of the right to vote at any primary in this State for a period of time fixed by the court where such person shall be convicted under this section.

Solicitations of any person for a loan or gift of money, or the purchase of anything of value, or any other subterfuge, shall be deemed a violation of the provisions of this section.

This section shall be construed so as to embrace any payment or attempt to pay, or solicitation or acceptance of the

payment of any poll or capitation tax, or the payment of any other tax therefor, whether made before or after the date of the election, for inducing any voter or not.

8172. (5907). PERSON KNOWING PERSON TO BE A VOTER IN A PRIMARY ELECTION, WHO SHALL WILLFULLY AND WRONGLY TAKE OR CAUSE TO BE TAKEN ANY BALLOT, TALLY SHEET, OR PRIMARY ELECTION BALLOT BOX, CHANGING BALLOTS, TALLY SHEETS, ETC.—Whoever shall willfully and wrongfully take or cause to be taken any ballot, tally sheet, or primary election ballot box, or any name or figure thereon, or thereon, he shall upon conviction thereof be fined not more than one thousand dollars, or imprisoned for not more than one year, or both, in the discretion of the court.

8174. (5910). STEALING AND WILLFULLY DESTROYING RECORDS, ETC., OF PRIMARY ELECTIONS.—Any person or member of any committee or any primary inspector, clerk or other officer, who is guilty of stealing, willfully and wrongfully breaking, destroying, mutilating, defacing or unlawfully moving or securing or detaining the whole or any part of any ballot box, or any record, primary poll book, tally sheet or copy thereof, bath, returns, or any other paper or document provided for by the laws of this State, or who shall fraudulently make any entry, or cause alteration therein, except as allowed and directed by the laws of this State, or who permits any other person so to do, shall, upon conviction thereof, be fined in the sum of not exceeding one thousand dollars, or imprisoned in the county jail not exceeding one year or both, in the discretion of the court.

8175. (5911). ATTEMPTING TO VOTE SUBSTITUTED BALLOT AT PRIMARY ELECTION.—Any voter attempting to vote a substituted ballot, as provided in Section 103, shall be deemed guilty of a felony and upon conviction thereof shall be imprisoned in the State prison for not more than two years.

8176. (5912). CASTING MORE THAN ONE BALLOT AT SAME PRIMARY ELECTION.—Whoever casts more than one ballot at the same primary election shall be punished by imprisonment in the State prison not exceeding three years, or by a fine of value or anything of value, or the purchase of anything of value, or any combination thereof, shall be deemed a violation of the provisions of this section.

8177. (5913). REGISTERED VOTER PASSING BY ANOTHER REGISTERED NAME.—No registered voter shall willfully or pass by any other name than the name by which he is registered. Nothing in this section shall pre-

vent the alteration of names by the circuit court, as provided by law, and when the name of any one is changed by the order of said court, he shall notify the supervisor of registration of the fact that his name has been changed. Anyone violating this section shall be punished by imprisonment in the State prison not exceeding five years.

8178. (5914). REMOVING BALLOT BEFORE CLOSING POLLS, INTERFERING WITH ELECTORS, OR AIDING BY MECHANICAL DEVICE AT PRIMARY ELECTION.—Any elector who shall take or remove, or attempt to take or remove, any ballot from the polling place before the closing of the polls at any primary election, or any person who shall interfere with any elector when inside of the polling place or when marking his ballot at any primary election, or any elector who aids or attempts to aid any elector by means of any mechanical device whatever in marking his ballot at any primary election, shall be punished by imprisonment in the State prison not exceeding one year or by fine not exceeding one thousand dollars.

8179. (5915). MAKING FALSE OATH, AFFIDAVIT OR STATEMENT AT PRIMARY ELECTION.—Whoever shall wilfully and corruptly make any false oath, affidavit or sworn statement provided for in Article 2, Chapter 1, Title 4, First Division of these Compiled General Laws, shall suffer the pains and penalties of perjury.

8180. (5916). CANDIDATE VIOLATING PRIMARY ELECTION LAW FORFEITS NOMINATION.—Any candidate who shall wilfully violate any provision of the primary election law of this State shall, in addition to any punishment prescribed by law, forfeit any nomination he may have received at the primary election in reference to which such crime or offense is committed.

8181. (5917). PERSON VIOLATING PRIMARY ELECTION LAW COMPETENT WITNESS AGAINST OTHER VIOLATORS; PERSON TESTIFYING NOT LIABLE TO PROSECUTION.—Any person offending against any provision of the primary election law of this State is a competent witness against any other person so offending, and may be compelled to attend and testify upon any trial, hearing, proceeding or lawful investigation or judicial proceeding in the same manner as any other person. But the testimony so given shall not be used in any prosecution or proceeding, civil or criminal, against the person so testifying. A person so testifying shall not thereafter be liable to indictment or presentment by information, nor to prosecution.

tion or punishment for the offense with reference to which his testimony was given, and may plead or prove the giving of testimony accordingly in bar of such indictment, information or prosecution.

8182. (5918). ONLY CERTAIN EXPENDITURES ALLOWED IN FURTHERANCE OF CANDIDACY AT PRIMARY ELECTION; PENALTY.—That no person, in the furtherance of his candidacy for nomination for public office or public position, in a primary election, shall himself, or by or through any other person or persons, or on behalf of any other person, directly or indirectly, give, pay or expend any money or give or pay anything of value, or promise to give, pay or expend any money or to pay or give anything of value or authorize any expenditure or become pecuniarily liable, except and only for the following purposes, to-wit:

For his traveling expenses while campaigning, fee for qualifying, stenographic work, clerks at his campaign headquarters to address, prepare and mail campaign literature, telegrams, telephones, postage, freight, express, stationery, list of voters, office rent, newspaper advertising, advertising in campaign books, printing and the renting of halls in which to address the voters.

The expenditure of any money or giving, paying or promising to give or pay any money or anything of value directly or indirectly by any candidate in furtherance of his candidacy for nomination in a primary election, except in the manner and for the purposes authorized by the provisions of this section, is hereby expressly prohibited. That any person who violates any of the provisions of this section shall upon conviction be punished by a fine of not exceeding one thousand dollars or be imprisoned not exceeding one year, or may be punished by both such fine and imprisonment, and shall from and after his conviction be disqualified and ineligible to hold the office or position to which he aspires, or any other State or county office or position, and his name shall not be allowed or printed on the primary election ballot or upon the official ballot to be used in the general State and county election, and no officer, committee or board authorized by law to issue commissions or certificates of election, or certificates of nomination, shall issue any such certificate or commission to such person. If at the time of conviction such person is serving in the position or office to which he aspired, his conviction shall be cause for his removal or for his impeachment.

8183. (5919). AMOUNT OF EXPENDITURES AUTHORIZED AT PRIMARY ELECTION FOR OFFICES ENUMERATED; PENALTY.—That the total expenditures

allowed and authorized for the purposes specified in the preceding section shall not be in excess of the following amounts, for each candidate for the following offices, to-wit:

For United States Senator	\$15,000.00
For Governor	15,000.00
For all other State Administrative Offices	5,000.00
For Congressman	4,000.00
For Railroad Commissioner, Adjutant General, State Chemist, State Auditor, Assistant State Auditor, and Justice of the Supreme Court.....	4,000.00
For State Attorney	1,200.00
For Circuit Judge	1,200.00
For State Senator	per county 600.00
For Representative in the Legislature	400.00
For Congressional District Delegates to the Na- tional Convention	600.00
For Delegate at Large to the National Conven- tion, for Members of the National Executive Committee and Presidential Electors	1,000.00
For County Officers in Counties having a Popu- lation of 40,000 and over	1,500.00
For County Officers in Counties having a Popu- lation of 30,000 and less than 40,000	1,000.00
For County Officers in Counties having a Popu- lation of 20,000 and less than 30,000	900.00
For County Officers in Counties with less than 20,000 population	800.00
The latest Federal or State census to determine the population of a County.	
For Members of the State Executive Committee and Members of the Congressional Executive Committee of any Political Party	200.00
For Members of the County Executive Commit- tee of any Political Party	100.00

The Maximum Amounts fixed by this Section shall include funds contributed to a candidate's campaign fund, and shall include all expenditures by the candidate himself or his campaign manager or committee. The expending of any money or giving or promising or give or pay any money or anything of value by any candidate, directly or indirectly, in furtherance of his candidacy for nomination in a primary election, in excess of the amounts fixed and prescribed by this Section, is hereby prohibited, and an expenditure in excess of said amounts is declared to be unlawful. That any

person who violates any of the provisions of this Section shall, upon conviction, be punished by a fine of not exceeding one thousand dollars or be imprisoned not exceeding one year, or may be punished by both such fine and imprisonment and shall from and after his conviction be disqualified and ineligible to hold the office or position to which he aspires, or any other State or county office or position, and his name shall not be allowed or printed on the primary election ballot, or upon the official ballot to be used in the general State and county election, and no officer, committee or board authorized by law to issue commissions or certificates of election or certificates of nomination shall issue any such certificate or commission to such person. If at the time of the conviction such person is serving in the position or office to which he aspired, his conviction shall be cause for his removal or impeachment.

1814. (5920) UNLAWFUL FOR CANDIDATE TO PROMISE TO APPOINT OR AID ANOTHER PERSON TO SECURE PUBLIC OR PRIVATE POSITION. — No person shall, in order to aid or promote his nomination in a primary election, directly or indirectly, himself or by or through any other person, promise to appoint another person or promise to secure or aid in securing appointment, nomination or election of another person to any public or private position or employment, or to any position of honor, trust or emolument, except that he may publicly announce or declare what his choice or preference is in relation to any election in which he may be called to take part or interested. Any person who violates the provisions of this section shall, upon conviction, be punished as provided in the preceding section.

1815. (5921) GIVING REWARD FOR PROMISE OF ELECTOR'S VOTE OR SERVICES. — That any candidate or other person who employs, offers to employ or shall give, pay, reward, make loan, or promise to give, reward, or make loan to any person for the promise of his vote, his services, or for loss of time, or for reimbursement for his expenses in consideration of such person's working, electioneering, or making public addresses for or against any candidate for nomination in a primary election, or who gives or receives any money or other thing of value to be used for such purpose, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not exceeding one thousand dollars, or by imprisonment not exceeding one year, or may be punished by both such fine and imprisonment, and if a candidate is found guilty of such offense, he shall, from and after his conviction, be disqualified and in-

eligible to hold the position or office to which he aspires; or any other State or county officer or position, and his name shall not be allowed or printed on the primary election ballot or upon the official ballot to be used in the general State and county election, and no officer, committee or board authorized by law to issue commissions or certificates of election or certificates of nominations, shall issue any such certificate or commission to such person. If at the time of the conviction, such person, who was a candidate is serving in the position or office to which he aspires, his conviction shall be cause for his removal from his impeachment and exceeding

T8386. (5922) R. ACCEPTING REWARD FOR SERVICES IN PRIMARY ELECTION. - Any person who solicits, receives or accepts from another any pay, gift or reward, loan, money, salary, contribution or thing of value as pay for services or reimbursement for loss of time or for expenses, shall be considered for him in making a vote for working election or in making public speeches for or against any candidate seeking nomination in a primary election shall upon conviction thereof be punished by a fine not exceeding one thousand dollars or by imprisonment not exceeding one year or by both such fine and imprisonment, not exceeding one year, with a copy of the same having been

8387. (5923) GIVING REWARD IN FURTHERANCE OF OPPOSITION TO CANDIDACY FOR NOMINATION AT PRIMARY ELECTION. - That no person, firm or corporation in the furtherance of or in opposition to the candidacy of any person for nomination in a primary election shall give, pay, loan, expend, contribute or promise to give, pay, loan, expend or contribute any money or other

thing of value for any purpose whatever. Provided, Personal services and personal traveling expenses may be contributed. And provided, that campaign contributions may be made to a candidate direct or to his campaign manager, by other than a corporation, to be expended only as authorized by law. Any person who violates the provisions of this section shall be punished by a fine or not exceeding one thousand dollars or by imprisonment or not exceeding one year or may be punished by both such fine and imprisonment.

8388. (5924) POLITICAL LITERATURE. - Any person who publishes or distributes or causes to be published or distributed any political advertisement or any campaign literature published or circulated in violation of the provisions of this act shall be punished by a fine or not exceeding one thousand dollars or by imprisonment or not exceeding one year or may be punished by both such fine and imprisonment.

then it shall be signed by the chairman and secretary of such club or committee, and such literature which is in circular form shall have upon it the name of the printer or publisher. All political advertisements appearing in a newspaper shall be marked "Paid Advertisement." Any person who publishes or circulates any campaign literature or political advertisement without the name of the author and the name of the printer or publisher thereon, as required by this section, shall, upon conviction, be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding one year, or by both such fine and imprisonment.

8189. (5925). CIRCULATING CHARGES AGAINST ANY CANDIDATE WITHIN EIGHTEEN DAYS OF PRIMARY; COPY DELIVERED TO CANDIDATE ATTACKED.—It shall be unlawful for any candidate or other person, during the eighteen days next preceding the day of a primary election to publish or circulate, or cause to be published or circulated, any charge against or attack upon any candidate, unless a copy of such charge or attack has been personally served upon the candidates against whom made at least eighteen days prior to the day of the primary, and any person publishing or circulating such charge or attack without a copy of the same having been personally served upon the person against whom the charge or attack is made, as herein required, shall be punished by a fine of not exceeding one thousand dollars, or be imprisoned not exceeding one year, or be punished by both such fine and imprisonment. Any answer to a charge or attack that contains only defensive matter shall not be construed to be a charge or attack.

8190. (5926). GIVING REWARD TO NEWSPAPER FOR SUPPORT OF ANY CANDIDATE IN PRIMARY ELECTION.—No person shall, directly or indirectly, give, pay, loan, or promise to give, pay, or loan, any money or other thing of value to the owner, publisher or agent of any newspaper or other periodical as compensation or reward, for or to induce him to advocate or oppose, through the columns of his paper, any candidate for nomination in a primary election, and no such owner, editor, publisher or agent shall solicit or accept such payment or reward. Any person violating the provisions of this section shall upon conviction be punished by a fine of not exceeding one thousand dollars, or be imprisoned not exceeding one year, or be punished by both such fine and imprisonment. And a candidate who is found guilty of such violation shall from and after his conviction be disqualified and ineligible to hold

the office or position to which he aspires, or any other State or county office or position, and his name shall not be allowed or printed on the primary election ballot, or upon the official ballot to be used in the general State and county election, and no officer, committee or board, authorized by law to issue commissions or certificates of election or certificates of nomination, shall issue any such certificates or commission to such person. If at the time of conviction, such person who was a candidate is serving in the position or office to which he aspired, his conviction shall be cause for removal or for his impeachment.

8191. (5927). **NEWSPAPER ASSAILING CANDIDATE IN PRIMARY MUST GIVE FREE SPACE FOR REPLY.**—If any newspaper in its columns assails the personal character of any candidate for nomination in a primary election, or charges such candidate for nomination in a primary election, or charges such candidate with malfeasance or misfeasance in office, or otherwise attacks his official records, or gives to another free space for such purpose, such newspaper shall, upon request of such candidate, immediately publish free of cost any reply he may make thereto, in as conspicuous a place and in the same kind of type as the matter that calls for such reply: Provided, Such reply does not take up more space than the matter replied to. A person who fails to comply with the provisions of this section shall, upon conviction, be punished by fine not exceeding five hundred dollars, or by imprisonment not exceeding six months, or by both such fine and imprisonment.

8192. (5928). **WORD "CANDIDATE" DEFINED.**—That the word "candidate" in this article means any person who has announced to any person, or to the public, that he is a candidate for a certain office.

8193. (5929). **CANDIDATE GIVING AWAY MONEY OR PROPERTY IN FURTHERANCE OF CANDIDACY OF ANOTHER.**—No candidate for nomination in a primary election shall, directly or indirectly, himself, or by or through another person, give, pay, extend or contribute any money or thing of value for the furtherance of the candidacy of any other candidate. Any person violating the provisions of this section shall be punished as provided in Section 8182.

8194. (5930). **CANDIDATE GIVING MONEY FOR PROHIBITED PURPOSES; PERSON RECEIVING MONEY FOR PROHIBITED PURPOSES.**—Any candidate or other person who furnished, gives or delivers to another person any money or other thing of value, to be used

by another person for any purpose prohibited by the primary election laws of this State, and any person who receives or accepts any money or thing of value to be used for any such purposes, shall upon conviction for so doing be punished by a fine of not exceeding one thousand dollars, or be imprisoned for not exceeding one year, or both, such fine and imprisonment being a candidate for and guilty of a violation of this section shall from and after his conviction be disqualified and ineligible to hold the office or position to which he aspires, or any other State or Federal office or position, and his name shall not be allowed to be printed on the primary election ballot, or upon the official ballot to be used in the general State and county election, and no officer, committee or board, authorized by law to issue commissions or certificates of election or certificates of nomination, shall issue any such certificate or commission to such person. If at the time of conviction, such person was a candidate for service in the position or office to which he aspired, his conviction shall be cause for removal of his name from the ballot for such office.

FOR VIOLATIONS: APPOINTMENT OF SPECIAL OFFICERS.—It shall be the duty of the sheriffs of this State to keep strict vigilance in the detection of any violations of the primary election law of this State and in the apprehending any violators thereof. When deemed advisable and to avoid any violation of this law, the Governor may appoint special officers to see that violators of the provisions of any of the primary election laws are apprehended and punished.

8196. (5932). DUTIES OF GRAND JURIES TO MAKE SPECIAL INVESTIGATIONS INTO VIOLATIONS.—It shall be the duty of the grand jury in each county when it convenes during a campaign preceding a primary election, and at its first meeting thereafter, to make special investigations to determine whether or not there have been violations of the provisions of the election laws and to return indictments where sufficient ground is found for the same to return against the offender.

8197. (5933). CANDIDATE FAILING TO FILE STATE LAWS TO BE PRINTED ON BALLOT OFFICERS ISSUING CERTIFICATE, ETC.—Any candidate who fails to make and file the statements required by (Section 424) in the form and at the time specified shall not have the right to have his name printed upon the ballot to be used in the primary election, and those entrusted with the preparation of such primary ballots shall not print upon the certificate of the

officer with whom said statements are required to be filed, that a candidate has failed to file such statement or statements, omit his name therefrom. The name of no candidate failing to file such statements are required by said section shall be allowed or printed on the official ballot used in the general State and county election, and no committee, officer or board authorized to issue commissions, certificates of election and certificates of nomination shall issue any such commission or certificate to any candidate who fails to comply with the provisions of the said section. Any officer, and the members of any board or committee violating the provisions of this section shall upon conviction be fined not exceeding five hundred dollars, or be imprisoned not exceeding six months.

8198. (5934) **MAKING FALSE AFFIDAVITS OR OATHS AS TO CAMPAIGN EXPENSES.**—Whoever shall wilfully and corruptly make any false oath, affidavit or sworn statement provided for in Section 421 shall suffer the pains and penalties of perjury.

8199. (5935). **FAILING TO FILE STATEMENT OF CAMPAIGN EXPENSES.**—Whoever wilfully violates any provision of Section 421 shall on conviction thereof be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or by both such fine and imprisonment.

8200. (5936). **AIDING OR COMMITTING FRAUD IN CONNECTION WITH ABSENT VOTERS.**—Any person attempting to aid or abet fraud in connection with any vote cast or to be cast, or attempted to be cast, under the provisions of Article 3, Chapter 1, Title 4, First Division of these Compiled General Laws, shall, upon conviction, be sentenced to the penitentiary for not less than one nor more than five years.

Any person attempting to vote by fraudulently signing the name of a regularly qualified voter shall be guilty of forgery. Any public official who knowingly violates any of the provisions of Article 3, Chapter 1, Title 4, First Division of these Compiled General Laws, and thereby aids in any way the illegal casting or attempting to cast a vote, or who shall connive to nullify any provisions of said article in order that fraud may be perpetrated, shall forever be disqualified from holding office in the State of Florida, and shall ever be disqualified from exercising the right of franchise.

8201. FRAUD OR ATTEMPTED FRAUD IN CONNECTION WITH VOTES OF ABSENT VOTERS. — Any person, or persons, perpetrating or attempting to perpetrate any fraud in connection with any vote cast or to be cast, or attempted to be cast, under the provisions of Sections 435-438, and any person or persons aiding or abetting the perpetration of or attempt to perpetrate any fraud in connection with any vote cast, or to be cast, or attempted to be cast under the provisions of Sections 435-438, shall upon conviction thereof, be punished by a fine of not exceeding One Thousand dollars or imprisonment not to exceed one year or by both such fine and imprisonment, and, in addition thereto, shall forever be disqualified from holding office in the State of Florida and from exercising the right of franchise.

Any person attempting to vote under the provisions of Sections 435-438 by fraudulently signing the name of a regularly qualified elector, other than his or her own name, shall be guilty of forgery and punished accordingly.

CHAPTER 13593—(No. 29).

AN ACT To Provide That Candidates for Members of the Board of County Commissioners in Counties of the State of Florida Having a Population of not Less than Ten Thousand Six Hundred and Twenty-five and Not More than Ten Thousand Six Hundred and Forty, According to the Last State Census, Shall be Nominated in Primary Elections by the Vote of the Electors Throughout the Entire County.

Be It Enacted by the Legislature of the State of Florida:

Section 1. That from and after the passage of this Act when candidates for the office of a member of the Board of County Commissioners in counties of the State of Florida having a population of not less than ten thousand six hundred and twenty-five and not more than ten thousand six hundred and forty, according to the last State census, are to be nominated in primary elections, such candidates shall be nominated by the result of the vote of electors throughout the entire county, provided that at least one such candidate shall reside within and shall be nominated from the bounds of the respective County Commissioners' district of each such county.

Sec. 2. This Act shall take effect upon its passage and approval by the Governor, or upon becoming a law without such approval.

Approved June 8, A. D. 1929.

CHAPTER 13601—(No. 37).

AN ACT Relating to Nominations for County Commissioner or Member of Board of Public Instruction Counties Having Population of Not Less Than Sixteen Thousand (16,000) and Not More than Sixteen Thousand Three Hundred (16,300).

Be It Enacted by the Legislature of the State of Florida:

Section 1. That when candidates for the office of member of the Board of County Commissioners or candidates for the office of member of the County Board of Public Instruction in Counties of the State of Florida having a population of not less than sixteen thousand (16,000) and not more than sixteen thousand three hundred (16,300), according to the last State census, are to be nominated in a Primary Election, such candidates shall run from the respective districts wherein they reside and shall be nominated by the result of the vote of the electors throughout the entire County.

Sec. 2. All laws or parts of laws in conflict herewith are hereby repealed.

Sec. 3. This Act shall take effect immediately upon its becoming a law.

Approved May 20, A. D. 1929.

CHAPTER 13602—(No. 38).

AN ACT to Provide that Candidates for Members of the Board of County Commissioners and Candidates for Members of the County Board of Public Instruction in Counties of the State of Florida, Having a Population of Not Less Than Ten Thousand Seven Hundred (10,700) and Not More than Eleven Thousand (11,000) According to the Last Official Census, Shall be Nominated in Primary Elections by the Vote of Electors Throughout the County.

Be It Enacted by the Legislature of the State of Florida:

Section 1. That from and after the passage of this Act when candidates for the office of member of the Board of County Commissioners or candidates for the office of member of the County Board of Public Instruction in Counties of the State of Florida having a population of not less than Ten Thousand Seven Hundred (10,700) and not more than Eleven Thousand (11,000) according to the last official Census, are to be nominated in a Primary election, such candidates shall be nominated by the result of the vote of the electors throughout the entire County.

Sec. 2. This Act shall take effect upon its becoming a law.

Approved May 23, A. D. 1929.

CHAPTER 13868—(No. 304).

AN ACT Fixing the Compensation of Supervisors of Registration in Counties Having a Population of not Less than 10,630, or More than 10,640, According to the State Census of 1925.

Be It Enacted by the Legislature of the State of Florida:

Section 1. That in all Counties in the State of Florida having a population of not less than 10,630, or more than 10,640, according to the State Census of 1925, the Supervisors of Registration shall receive a salary of \$40.00 per month for their services the same to be paid monthly by the County as other County Officers are paid.

Sec. 2. All laws or parts of laws in conflict herewith are hereby repealed.

Sec. 3. This Act shall take effect upon becoming a law.

Approved June 8, A. D. 1929.

CHAPTER 13869—(No. 305).

AN ACT to Fix the Compensation of Supervisors of Registration in Counties Where There is an Average Registration of More than Thirty-five Thousand Names.

Be It Enacted by the Legislature of the State of Florida:

Section 1. That in all counties of the State of Florida where there shall be an average registration of voters of not less than Thirty-five (35,000) names, the compensation of the Supervisor of Registration in such county shall be not less than Two Hundred and Fifty (\$250.00) Dollars per month, to be paid by the County Commissioners upon requisition of the Supervisor of Registration. Provided, nothing in this Act shall prohibit the payment of a greater compensation to the Supervisors of Registration than that herein provided in so far as the same may be authorized by any existing provisions of law.

Sec. 2. This Act shall take effect upon becoming a law.

Approved June 8, A. D. 1929.

CHAPTER 14546—(No. 64).

AN ACT to Fix the Compensation of the Supervisors of Registration of the Several Counties of the State of Florida Having Thirty Thousand or More Registered Voters Upon the General Election Registration Books of Such Counties.

Be It Enacted by the Legislature of the State of Florida:

Section 1. That on and after July 1, 1929, the compensation of Supervisors of Registration of all counties of this State, carrying on their registration books more than Thirty Thousand (30,000) voters in General Elections held in such counties shall be not less than Three Thousand (\$3,000.00) Dollars per annum, payable in equal monthly installments to the Supervisor of Registration of such counties upon his requisition therefor.

Sec. 2. The Board of County Commissioners of all counties affected by this Act are hereby authorized to prepare and include in their budgets for the remainder of the year 1929 after this Act takes effect an appropriate item to cover compensation of Supervisors of Registration as hereinbefore fixed, and it shall be the duty of the County Commissioners of the counties to provide for the payment of said compensation of Supervisors of Registration out of the General Revenue Fund of counties from and after the taking effect of this Act. Anything in any other law of the State of Florida to the contrary notwithstanding.

Sec. 3. All laws or parts of laws in conflict with this Act are hereby repealed.

Sec. 4. This Act shall take effect July 1st, 1929.

Sec. 5. Nothing in this Act shall be construed as reducing the amount of compensation now payable under authority of law to any Supervisor of Registration in any of the counties covered by the terms of this Act.

Approved June 20, A. D. 1929.

CHAPTER 14547—(No. 65).

AN ACT to Fix the Compensation of Supervisors of Registration in Counties of This State Having a Population of Not Less Than Forty Thousand (40,000) and Not More Than Forty-two Thousand (42,000), According to the Last State Census.

Be It Enacted by the Legislature of the State of Florida:

Section 1. That Supervisors of Registration of all counties of this State having a population of not less than Forty Thousand (40,000) nor more than Forty-two Thousand (42,000), according to the last State Census, shall be paid and entitled to receive not less than the sum of Two Thousand (\$2,000.00) Dollars per annum, payable in equal monthly installments by the County Commissioners of the Counties, anything in any other law of the State of Florida notwithstanding.

Sec. 2. All laws or parts of laws in conflict with this Act are hereby repealed.

Sec. 3. This Act shall take effect July 1st, 1929, and the County Commissioners of the Counties affected hereby shall make provision in the budget for the payment of the salary of the Supervisor of Registration in accordance with the terms and requirements of this Act.

Approved June 29, A. D. 1929.

CHAPTER 13766—(No. 202).

AN ACT to Require All Persons, Otherwise Qualified to Vote, in All Election Precincts in Counties Having a Population of More Than 19,500, and Less Than 20,500, According to the Last State Census, to Register During the Time the County Registration Books for Each Election District of Such Counties Are Open for Registration for

the Primary Election to Be Held in the Year 1930, and Requiring Registration of Such Persons Each Sixth Year Thereafter.

Be It Enacted by the Legislature of the State of Florida:

Section 1. That all persons qualified to vote in all election precincts in counties having a population of more than 19,500 and less than 20,500, according to the last State census, shall be required to register during the time the registration books in each precinct in such counties are open for registration for the primary election to be held in the year 1930, and shall be required to register during the time such books are open each sixth year thereafter, and all persons so registering shall be deemed duly registered electors for the general election next following the primary for which they registered, and for all primary, general and special elections held subsequent to the general primary for which they registered and prior to the next following general primary, at which they shall be required to re-register, and their names shall be carried on the registration books as duly registered electors for such elections; provided, that nothing in this Act shall be construed as repealing any laws with reference to the time for opening and closing the registration books, or the manner of registration, or preventing the registration of any person otherwise qualified to vote for any primary election between such times for registration.

Sec. 2. That all laws or parts of laws in conflict herewith be and the same are hereby repealed.

Sec. 3. This Act shall take effect upon its approval by the Governor, or upon its becoming a law without such approval.

Approved June 8, A. D. 1929.

CHAPTER 13767—(No. 203).

AN ACT to Provide for a Re-registration in A. D. 1930 of All Voters for All Elections to Be Held in A. D. 1930 and All Subsequent Years Thereafter, in All Counties of This State Having a Population of Not Less Than Ten Thousand and Fifty and Not More Than Ten Thousand One Hundred, According to the Last State Census of the State of Florida.

Be It Enacted by the Legislature of the State of Florida:

Section 1. In all counties of this State having a population of not less than ten thousand fifty and not more than ten thousand one hundred, according to the last State census, of the State of Florida, the County Commissioners shall provide for a re-registration in A. D. 1930 of all persons of such counties who intend to vote or qualify for voting in any election to be held therein in A. D. 1930 or subsequent years thereafter, and in order to accomplish such registration of such persons, it shall be the duty of the supervisor of registration of each of said counties, to open his registration books at the time and in the manner hereinafter provided for the purpose of registering or re-registering all such persons as may desire to register and qualify and vote in any election to be held in any such county in A. D. 1930 or subsequent years thereafter and to register or re-register all of the voters of such county.

Sec. 2. All registrations of voters prior to January 1, A. D. 1930, had in counties of the population mentioned in Section 1 of this Act shall be null and void and of no force and effect on and after January 1, A. D. 1930.

Sec. 3. Any person who possesses the qualifications provided by law for becoming a registered voter in any of the counties affected by this Act may, at the time or times hereinafter specified, apply to the registration officer of the county where such person resides, for the purpose of being registered or re-registered as the case may be according to law; and it shall be the duty of the supervisor of registration to register or re-register any such person as may be found by him to possess the qualifications required by law for becoming a legal voter in any such county for any election for which such person may desire to register.

Sec. 4. All books containing the registration of voters herein provided for shall be deemed, taken and held to be the legal registration books of said counties and shall be used therein in all elections held in A. D. 1930, and thereafter until otherwise provided by law.

Sec. 5. Registrations in said county during said registering year and all subsequent years and the time and manner thereof, as also the qualifications of electors shall be as provided in the existing general laws of Florida.

Sec. 6. The Supervisor of Registration shall receive for his services in making the registration or re-registration of voters herein provided for the same compensation as is now

or may hereafter be provided by law to be paid Supervisors of Registration for like services.

Sec. 7. Registrations may be made by district registration officers under the supervision of the registration officer in the same manner as now provided by law.

Sec. 8. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 9. This Act shall take effect upon its becoming a law.

Approved May 20, A. D. 1929.

CHAPTER 13768—(No. 204).

AN ACT to Provide for a Re-registration of All Voters for All Elections to Be Held in the Year A. D. 1930, and Subsequent Years Thereafter, in Counties of This State Having a Population of Not Less Than 9,900 and Not More Than 9,950.

Be It Enacted by the Legislature of the State of Florida:

Section 1. In all counties of this State having a population of not less than 9,900 and not more than 9,950, according to the 1925 State census, the County Commissioners shall provide for a re-registration of all voters of such counties who intend to vote and qualify for voting in any general or primary election to be held in the year, A. D. 1930, or subsequent years thereafter, and in order to accomplish such re-registration of such voters, it shall be the duty of the Supervisors of Registration of such counties to immediately open their registration books for the purpose of registering or re-registering such voters as may desire to register and qualify to vote in any general or primary election to be held in the year, A. D. 1930, or subsequent years thereafter, and to re-register all of the voters of such county.

Sec. 2. All registration of voters heretofore had in counties of the population described in Section One of this Act shall be null and void and of no force and effect on and after January 1st, A. D. 1930.

Sec. 3. Any person who may desire and who possesses the qualifications provided by law for becoming a registered voter in the counties hereinbefore described, may, at any time after this Act becomes a law, apply to the registration officers in the several counties described in Section 1 of this

Act, for the purpose of being registered or re-registered, as the case may be, according to law, and it shall be the duty of the Supervisors of Registration of such counties to register or re-register any such persons who may be found by him to possess the qualifications required by law for becoming a legal voter in such counties for any general or primary election for which such voters desire to register; and all books containing the registration of voters herein provided for shall be deemed, taken and held to be legal registration books of such counties, and shall be used in all general and primary elections held in the years, A. D. 1930, and thereafter until otherwise provided by law.

Sec. 4. The re-registration of voters hereinbefore provided for may continue until not later than thirty days before any primary election to be held in the year 1930, and the books shall then be closed until after the holding of such primary election, and registrations for the general election may be held thereafter until within thirty days prior to the date of holding any subsequent general election, whereupon said registration shall cease until after the time for holding the general election, and thereafter the registration of voters may continue at all times except within the period of thirty days immediately preceding any general or primary election, the purpose and intention of this Act being to provide for a registration of all voters in said counties and to provide that the registration books shall be kept open for registration of voters continuously except during that period of time amounting to thirty days immediately preceding any general or primary election.

Sec. 5. The Supervisor of Registration shall receive for his fees in making the registration of voters hereinbefore provided for, the same compensation as is now or may hereafter be provided by law to be paid Supervisors of Registration for like services.

Sec. 6. Registrations may be made by District Registration officers under the supervision of the registration officer in the same manner as now provided by law.

Sec. 7. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 8. This Act shall take effect upon its becoming a law.

Approved June 7, A. D. 1929.

CHAPTER 13769—(No. 205).

AN ACT To Provide for and Require a Re-registration of All Voters for All Elections to be Held in the Year A. D. 1930, and Subsequent Years Thereafter in Counties of This State Having a Population of not Less than Forty Thousand (40,000) and not More than Forty-two Thousand (42,000) Inhabitants according to the Last State Census.

Be It Enacted by the Legislature of the State of Florida:

Section 1. In all counties of this State having a population of not less than Forty Thousand (40,000) and not more than Forty-two Thousand (42,000) according to the last State census, the County Commissioners shall provide for a complete re-registration of all voters of such counties who intend to vote and qualify for voting in any General or Primary Election to be held in the year A. D. 1930, or subsequent years thereafter, and in order to accomplish such re-registration of such voters of such counties, it shall be the duty of the Supervisor of Registration of such counties to open their Registration Books for the purpose of registering or re-registering such voters as may desire to register and qualify to vote in any General or Primary Election to be held in the year A. D. 1930, or subsequent years thereafter, and such Supervisors of Registration are hereby authorized and required to re-register all of the voters of such counties in accordance with the provisions of this Act, and the several Boards of County Commissioners of the several counties affected by this Act are hereby authorized and required to provide all materials and supplies and other requirements necessary to be used by Supervisors of Registration in order to comply with the provisions of this Act. Such duties hereby imposed by this Act upon Supervisors of Registration and Boards of County Commissioners shall be enforceable by mandamus brought on the relation of any person now qualified as an elector in said county and who desires or expresses a desire to be re-registered under this Act.

Sec. 2. All registration of voters heretofore had in counties of the population described in Section 1 of this Act, whether for General or Primary Election shall be null and void and of no force and effect on and after January First, A. D. 1930, after which date only those voters who have re-registered under the provisions and requirements of this Act to vote in General or Primary Elections shall be recognized as registered voters in said Counties.

Sec. 3. In making a re-registration of voters for Primary and General Elections under this Act, all provisions of law now applicable to the registration of voters in General Elections and Primary Elections shall be deemed and held to govern and apply to the re-registration under this Act, except as to the time of opening and closing the books, and except as otherwise particularly covered by this Act by contradictory law herein contained. All registrations for General Elections and Primary Elections shall be made in separate books in like manner as now provided by law, except that the Supervisor of Registration may register in both books at the same time under this Act.

Sec. 4. Any person who may desire and who possesses the qualifications provided by law for becoming a registered voter in the counties hereinbefore described may, at any time after this Act becomes a law apply to the Registration officers in the several counties described in Section 1 of this Act, for the purpose of being registered or re-registered, as the case may be, according to law, and it shall be the duty of the Supervisors of Registration of such counties to register or re-register any such person who may be found by him to possess the qualifications required by law for becoming a legal voter in such counties for any General or Primary Election for which such voters desire to register; and all books containing the registration of voters herein provided for shall be deemed, taken and held to be legal registration books of such counties, and shall be used in all General and Primary Elections, held in the years A. D. 1930, and thereafter until otherwise provided by law.

Sec. 5. The re-registration of voters hereinbefore provided for may continue until not later than thirty days before any Primary Election to be held in the year 1930, and the books shall then be closed until after the holding of such Primary Election, and registration for the General Election may be held thereafter until within thirty days prior to the date of holding any subsequent General Election whereupon said registration shall cease until after the time for holding the General Election, and thereafter the registration of voters may continue at all times except within the period of thirty days immediately preceding any General or Primary Election, the purpose and intention of this Act being to provide for a registration of all voters in said counties and to provide that the registration books shall be kept open for registration of voters continuously except during that period of time amounting to thirty days immediately preceding any General or Primary Election.

Sec. 6. The Supervisor of Registration shall receive for his fees in making the registration of voters hereinbefore provided for, the same compensation as is now, or may hereafter be provided by law to be paid Supervisors of Registration for like services.

Sec. 7. Registrations may be made by District Registration Officers under the supervision of the Registration Officer in the same manner as now provided by law.

Sec. 8. Any voter who shall have re-registered under the provisions of this Act for any General or Primary Election shall not be required to re-register biennially, nor for each separate Election, but a re-registration once having been made hereunder shall be deemed and held as being sufficient for all elections to be held in the year A. D. 1930, and for all periods of time subsequent thereto, during which such re-registered voter shall continue as an elector of the county covered by this Act, the purpose of this Act being that there shall be one general re-registration of all voters, whether heretofore registered or not, and thereafter additional and supplementary registration of individuals as voters to add to the list of persons who may be re-registered under this Act.

Sec. 9. All laws or parts of laws in conflict with this Act are hereby repealed.

Sec. 10. This Act shall take effect upon becoming a law.

Approved June 8, A. D. 1929.

CHAPTER 13770—(No. 206).

AN ACT to Provide for a Re-registration of All Voters for All Elections to Be Held in the year A. D. 1930, and Subsequent Years Thereafter, in Counties of This State Having a Population of More Than Seventy-nine Thousand and Not More Than Eighty Thousand Inhabitants, According to the Special State Census of A. D. 1927, and Providing that Registration of Voters Heretofore Had in Such Counties Shall Be Null and Void and of No Force and Effect After January 1, A. D. 1930, and Providing that the Board of County Commissioners of Such Counties Shall Have the Authority to Alter or Change Any Election and Registration District, Voting Place or Precinct in Such Counties, and Providing for the Time to Apply for Re-registration in Such Counties.

Be It Enacted by the Legislature of the State of Florida:

Section 1. In all counties of this State having a population of Seventy-nine Thousand and not more than Eighty Thousand inhabitants, according to the Special State Census of A. D. 1927, the Board of County Commissioners of such counties shall provide for a re-registration of all voters of such counties who intend to register and qualify for voting in any General, Primary or Special Election to be held in the year A. D. 1930, or subsequent years thereafter, and in order to accomplish such re-registration of such voters, it shall be the duty of the Supervisors of Registration of such counties to immediately open their registration books for the purpose of registering or re-registering such voters as may desire to register and qualify to vote in any General, Primary or Special Election to be held in the year A. D. 1930, or subsequent years thereafter, and to re-register all of the voters of such counties.

Sec. 2. All registration of voters heretofore had in the counties of the population described in Section 1 of this Act shall be null and void and of no force and effect on and after January 1, A. D. 1930.

Sec. 3. Any person who may desire and who possesses the qualifications provided by law for becoming a registered voter in the counties hereinbefore described, may, at any time after this Act becomes a law, apply to the Registration Officers in such counties described in Section 1 of this Act, for the purpose of being registered or re-registered, as the case may be, according to law, and it shall be the duty of the Supervisors of Registration of such counties to register or re-register any such person who may be found by him to possess the qualifications required by law for becoming a legal voter in such counties for any General, Primary or Special Election, for which such voters desire to register; and all books containing the registration of voters herein provided for shall be deemed, taken and held to be legal registration books of such counties, and shall be used in all General, Primary and Special Elections held in the year A. D. 1930, and thereafter until otherwise provided by law.

Sec. 4. The Supervisor of Registration of such Counties shall appoint, subject to removal at any time by him, a District Registration officer of each Election District in his county, whose duty it shall be to attend to the registration of electors in such districts in substantial conformity with the provisions of the general law applicable thereto, and in addition thereto such District Registration Officers shall

keep their books open for such time, or times, as shall be prescribed by the Board of County Commissioners of such counties.

Sec. 5. In such counties it shall not be necessary for the Supervisor of Registration to publish a certified list of the registered and qualified electors of each election district as is now provided by law.

Sec. 6. The County Registration books in all such counties shall be kept open on each week day from 9:00 A. M. until 12:00 Noon and from 1:30 P. M. until 5:00 P. M. in the office of the Supervisor of Registration in each of such counties for the registration of electors for all General, Primary and Special Elections; provided, however, that said Registration Books shall close before each General, Primary or Special Election at the time and in the manner now required by the laws governing both Primary and General Elections in said State, but shall re-open for registration purposes the day following the said election or elections.

Sec. 7. The Board of County Commissioners in each of such counties in addition to its powers relative to altering, changing or creating new election or registration districts is hereby empowered, at any time prior to the 1st day of January, A. D. 1930, to alter or change any election and registration district, voting place or precinct in such county, or to create new districts, designating each district by number, and at the most suitable point in the district to establish a voting place or precinct, at which voting place or precinct there shall be a polling place as now provided by law, and in altering or changing any election and registration district, voting places or precincts or creating new districts in such county, the Board of County Commissioners shall act in substantial conformity with the provisions of the general law applicable thereto.

Sec. 8. Any provision of this Act which for any reason may be declared invalid may be eliminated from this Act, and the remaining portion or portions thereof shall be and remain in full force and valid as if such invalid provision had not been incorporated therein.

Sec. 9. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 10. This Act shall take effect immediately upon its approval by the Governor or upon its becoming a law without his approval.

Approved June 8, A. D. 1929.

CHAPTER 13893—(No. 329).

AN ACT to Authorize the County Commissioner of Any County, or the Governing Body of Any Municipality, Within the State of Florida, to adopt for use or Use Experimentally a Voting Machine or Voting Machine for the Conduct of Elections in Such Counties or Municipalities, and Setting Forth the Requirements of Such Voting Machines, and Prescribing the Method of Conducting Elections by and with the Use of Such Voting Machines and Directing How the Official Returns of Elections Conducted with the Aid of Such Voting Machines Shall Be Made, and Providing a penalty for Unlawfully Possessing Such Voting Machines or the Keys Thereto, and Prescribing a Penalty for Wilfully Tampering, or Attempting to Tamper, Disarrange, Deface, or Impair Such Voting Machines, and Also Defining Some of the Terms Used in This Act.

Be It Enacted by the Legislature of the State of Florida:

Section 1. DEFINITIONS.—The list of candidates used or to be used on the front of the voting machine for an election district in which a voting machine is used pursuant to law shall be deemed official ballots under this charter. The word "Ballot" as used in this Article (except when reference is made to irregular ballots) means that portion of the cardboard or paper or other material within the ballot frames containing the name of the candidate and the designation of the party by which he was nominated, or a statement of a proposed constitutional amendment or other question or proposition, with the word "yes" for voting for any question or proposition, and the word "no" for voting against any question. The term "question" shall mean any constitutional amendment, proposition or other question submitted to the voters at any election. The term "Official ballot" shall mean the printed strips of cardboard containing the names of the candidates nominated and a statement of the questions submitted. The term "irregular ballot" shall mean a vote cast, by or on a special device, for a person whose name does not appear on the ballots. The term "voting machine custodian" shall mean the person who shall have charge of preparing and arranging the voting machine for elections. The term "protective counter" shall mean a separate counter built into the voting machine which cannot be reset, which records the total number of movements of the operating lever.

Sec. 2. REQUIREMENTS OF VOTING MACHINES.—Any voting machine may be adopted, rented, purchased or used which be so constructed as to fulfill the following re-

quirements: It shall secure to the voter secrecy in the act of voting; it shall provide facilities for voting for or against as many questions as may be submitted; it shall permit the voter to vote for the candidates of one or more parties; it shall permit the voter to vote for as many person for an office as he is lawfully entitled to vote for, but no more; it shall prevent the voter from voting for the same persons more than once for the same office; it shall permit the voter to vote for or against any question he may have the right to vote upon, but no other; if used in primary elections, it shall be so equipped that the election officials can lock out all rows except those of the voter's party by a single adjustment on the outside of the machine; it shall correctly register or record, and accurately count all votes cast for any and all persons, and for or against any and all questions; it shall be provided with a "Protective Counter" or "Protective Device" whereby any operation of the machine before or after the election will be detected; it shall be provided with a counter which shall show at all times during any election how many persons have voted; it shall be provided with a mechanical model, illustrating the manner of voting on the machine, suitable for the instruction of voters; it may also be provided with one device for each party, for voting for all the presidential electors of that party by one operation, and a ballot therefor containing only the words "Presidential Electors For" preceding by the name of that party and followed by the names of the candidates thereof for the offices of president and vice-president, and a registering device therefor which shall register the vote cast for said electors when thus voted collectively; provided, however, that means shall be furnished whereby the voter can cast a vote in part for the candidates for presidential electors of one party, and in part for those of one or more other parties or in part or in whole for persons not nominated by any party. Every voting machine shall be furnished with a lantern, or a proper substitute for one, which shall give sufficient light to enable voters while voting to read the ballots and suitable for use by the election officers in examining the counters. All voting machines used in any election shall be provided with a screen, hood or curtain which shall be so made and adjusted as to conceal the voter and his action while voting.

Sec. 3. ADOPTION OF VOTING MACHINE.—The Board of County Commissioners of any county or the governing body of any municipality, may if it so elects, submit to the voters of such county or municipality at a general or special election, the question of whether or not it shall avail itself of the benefits of this Act. Providing, however, that

a special election shall not be called for the sole purpose of determining this question, and if a majority of the voters voting at such election approve the said Board of County Commissioners of such county or the governing body of such municipality, may thereupon adopt for use at elections any kind of voting machine that meets the requirements of this Act, and thereupon such voting machine may be used at any and all elections held in such county or municipality or any part thereof for voting, registering and counting votes cast at such elections; provided, however, that the board of county commissioners of any county or the governing body of any municipality may purchase, install and use, not to exceed (5) five voting machines, meeting the requirements of this Act, for the purpose of experimenting with same in such districts or precincts as they may deem proper, without submission of the question to the voters of the county or municipality. Voting machines of different kinds may be adopted for use in different districts in the same county or municipality.

Sec. 4. EXPERIMENTAL USE OF VOTING MACHINE.—The county commissioners of any county, or the governing body of any municipality, authorized by the last preceding section to adopt a voting machine, may provide for the experimental use, at any election in one or more districts of a machine or machines which they might thereafter permanently adopt, and the use of such machine or machines at such election shall be as valid for all purposes as if it, or they, had been permanently adopted.

Sec. 5. PROVIDING MACHINES.—The authorities adopting the use of voting machines shall, as soon as practicable thereafter, provide for each polling place one or more voting machines in complete working order, and thereafter the authorities in charge of elections shall preserve and keep them in repair, and shall have custody thereof when not in use at an election. If it shall be impracticable to supply each and every election district with a voting machine or voting machines at any election following such adoption, as many may be supplied as it is practicable to procure, and the same may be used in such election district or districts within such county or municipality as the officers adopting the same may direct.

Sec. 6. PAYMENT FOR MACHINES.—The boards of county commissioners or the municipal authorities on the adoption and rental or purchase of voting machines may provide for the payment therefor in such manner as they may deem for the best interest of their respective localities.

Sec. 7. PRINTING OFFICIAL BALLOTS.—All ballots shall be printed on paper or clear white material, of such form and size as will fill the ballot frames of the machine, in plain color type as large as the space will reasonably permit. Party nominations shall be arranged on each voting machine, either in columns or horizontal rows; the caption of the various ballots on said machines shall be placed on said machines as to indicate to the voter what push knob, key, lever or other device is to be used or operated in order to vote for the candidate or candidates of his choice. The order of the arrangement of parties and of candidates shall be as now required by law.

Sec. 8. MAILING OF SAMPLE BALLOTS AND FURNISHING OF INSTRUCTION BALLOTS.—The officer or officers whose duty it may be under this Act to provide and furnish official ballots for any polling place where a voting machine is to be used, shall also provide two sample ballots or instruction ballots which sample or instruction ballots shall be arranged in the form of a diagram showing such portion of the front of the voting machine as it will appear after the official ballots are arranged thereon or therein for voting on election day. Such sample ballots shall be open to the inspection of all voters on election day, in all primaries and general elections where voting machines are used.

There shall be furnished to the election official, at each polling place, a sufficient number of sample ballots (a facsimile of the face of the machine) of a reduced size, so that one may be given to each voter desiring the same.

Sec. 9. NUMBER OF OFFICIAL BALLOTS TO BE FURNISHED.—Two sets of official ballots shall be provided for each polling place for each election district for use in and upon the voting machine, one set thereof shall be inserted or placed in or upon the voting machine and the other shall be retained in the custody and possession of the board of elections, unless it shall become necessary during the course of the election to make use of the same upon or in the voting machine.

Sec. 10. DUTY OF AUTHORITIES OF MUNICIPALITIES.—It shall be the duty of the authorities in charge of any election where a voting machine is to be used, to have the machine and all necessary furniture and appliances at the proper polling place or places before the time fixed for opening of the polls, and the counters set at zero (000), and otherwise in good and proper order for use at such election; and for the purpose of placing ballots in the ballot frames of the machine, putting it in order, testing, and adjusting

and delivering the machine, the authorities in charge of elections may employ one or more competent persons to be known as custodian or custodians of voting machines; who shall be fully competent, thoroughly instructed, and sworn to perform their duties honestly and faithfully, and for such purpose shall be appointed and instructed at least thirty days before the election and shall be considered as officers of elections. Before preparing a voting machine for any election, written notice shall be mailed to the chairman of the local organization of at least two of the principal parties, stating the time and place where the machines will be prepared, at which time one representative of each of such political parties shall be afforded an opportunity to see that the machines are in proper condition for use in the election; such representatives shall be sworn to faithfully perform their duties and shall be regarded as election officials but shall not interfere with the custodians or assume any of their duties. When a machine has been so examined by such representatives it shall be sealed with a numbered metal seal. Such representatives shall certify to the numbers of the machines, that all of the counters are set at zero (000), and as to the number registered on the protective counter, if one is provided, and on the seal. After the preparation of the machines, an officer or officers or someone duly authorized, other than the person who has prepared them for election, shall inspect each machine, and report in writing, concerning the facts as to whether or not all of the registering counters are set at zero (000), the machine is arranged in all respects in good order for the election and locked; and as to the number registered on the protective counter; and on the seal. When a voting machine has been properly prepared for election, it shall be locked against voting and sealed; and the keys thereof shall be delivered to the board of officials having charge and control of elections, together with a written report made by the custodian, stating that it is in every way properly prepared for the election. After the voting machine shall be transferred to the polling places, it shall be the duty of the local authorities to provide ample protection against molestation or injury to the machine. The lantern or electric light fixture shall be prepared in good order for use before the opening of the polls.

Sec. 11. INSTRUCTION OF ELECTION OFFICERS.—Not less than ten nor more than twenty-one days before each election, the custodian or custodians of the machine shall instruct the board of elections that are to serve in an election district in use of the machine, and in their duties in connection therewith; and he shall give to each member of

each board of elections who has received such instruction and is fully qualified to properly conduct the election with the machine, a certificate to that effect. For the purpose of giving such instruction the custodian shall call such meeting or meetings of the board of elections as shall be necessary. Such custodian shall within five days, file a report with the board or official in charge of elections stating that he has instructed the election officers, giving the names of such officers, and the time and place where such instruction was given. The board of elections of each election district in which a voting machine is to be used shall attend such meeting, or meetings, as shall be called for the purpose of receiving such instructing concerning their duties as shall be necessary for the proper conduct of the election with the machine. No member of any board of elections shall serve in any election at which a voting machine is used, unless he shall have received such instruction and is fully qualified to perform the duties in connection with the machine, and has received a certificate to that effect from the custodian of the machines; provided, however, that this shall not prevent the appointment of a person as a member of the board of elections to fill a vacancy in an emergency.

Sec. 12. INSTRUCTION OF VOTERS BEFORE ELECTION.—Where voting machines are to be used, the authorities in charge of elections shall designate suitable and adequate times and places where voting machines containing sample ballots showing titles of officers to be filled, and, so far as practicable, the names of candidates to be voted for at the next election shall be exhibited for the purpose of giving instructions as to the use of voting machines to all voters who apply for the same. No voting machine which is to be assigned for use in an election shall be used for such instruction after having been prepared and sealed for the election. During public exhibition of any voting machine for the instruction of voters previous to an election, the counting mechanism thereof shall be concealed from view and the doors may be temporarily opened only when authorized by the board or official having charge and control of the elections.

Sec. 13. OFFICIAL BALLOTS FURNISHED.—Official ballots of the form and description set forth in this Act for use upon voting machines shall be prepared and furnished in the same manner, at the same time, and be delivered to the same officials as now provided by law.

Sec. 14. NUMBER OF VOTERS IN A DISTRICT.—Election districts in which voting machines are to be used may be altered, divided, or combined so as to provide that each district in which the machine is to be used shall contain as nearly as may be seven hundred and fifty voters, and that each district in which two machines are to be used shall contain as nearly as may be one thousand voters, and that each district in which three machines are to be used shall contain as nearly as may be one thousand five hundred voters; provided that nothing herein shall prevent any election district from containing a less number than above if necessary for the convenience of the voters. Whenever more than two machines are to be used in a district, one additional member of the board of elections shall be appointed for each additional machine.

Sec. 15. If the official ballots for an election district or precinct, at which a voting machine is to be used, shall not be delivered in time for use on election day or after delivery shall be lost, destroyed or stolen, the clerk or other official, or officials, whose duty it now is in such case to provide other ballots for use at such elections in lieu of those lost, destroyed or stolen, shall cause other ballots to be prepared, printed or written as nearly as may be of the form and description of the official ballots, and the board of election shall cause the ballots so substituted to be used at the election in the same manner, as nearly as may be, as the official ballots would have been.

Sec. 16. VOTING MACHINE OUT OF ORDER.—In case any voting machine used in any election district shall, during the time the polls are open, become injured so as to render it inoperative in whole or in part, it shall be the duty of the election officers immediately to give notice thereof to the body providing such machine, and it shall be the duty of such body, if possible, to substitute a perfect machine for the injured machine, and at the close of the polls, the records of both machine shall be taken, and the votes shown on their counters shall be added together in ascertaining and determining the results of the election; but if no other machine can be prepared for use at such election, and the one injured cannot be repaired in time for use at such election, unofficial ballots made as nearly as possible in the form of the official ballot may be used, received by the election officers and placed by them in receptacle in such case to be provided by the election officers, and counted with the votes registered on the voting machines; and the result shall be declared the same as though there had been no accident to

voting machine; the ballots thus voted shall be preserved and returned as herein directed with a certificate or statement setting forth how and why the same were voted.

Sec. 17. OPENING OF POLLS.—The boards of election of each district shall attend at the polling place three-quarters of an hour before the time set for opening of the polls, at each election, and shall proceed to arrange within the guard rail the furniture, stationery and voting machine for the conduct of the election. The boards of election shall then and there have the voting machine, ballots, and stationery required to be delivered to them for such election. If not previously done, they shall insert in their proper place on the voting machine, the ballots containing the names of offices to be filled at such election, and the names of candidates nominated therefor. The keys to the voting machine shall be delivered to the election officers at least three-quarters of an hour before the time set for opening the polls, in a sealed envelope, on which shall be written or printed the number and location of the voting machine; the number of the seal and the number registered on the protective counter or device, as reported by the custodian. The envelope containing the keys shall not be opened until at least one member of the board from each of two political parties shall be present at the polling place, and shall have examined the envelope to see that it has not been opened. Before opening the envelope, all election officers present shall examine the number on the seal on the machine, also the number registered on the protective counter, and shall see if they are the same as the number written on the envelope; and if they are not the same, the machine must not be opened until the custodian or other authorized person, shall have been notified and shall have presented himself at the polling place for the purpose of re-examining such machine and shall certify that it is properly arranged. If the numbers on the seal and protective counter are found to agree with the numbers on the envelope, the election officers shall proceed to open the doors concealing the counters, and each officer shall carefully examine every counter and see that it registers zero (000), and the same shall be subject to the inspection of official watchers. The machine shall remain locked against voting until the polls are formally opened, and shall not be operated except by voters in voting. If any counter is found not to register zero (000), the board of election shall immediately notify the custodian, who shall, if practicable, adjust the counters at zero (000), but if it shall be impracticable for the custodian to arrive in time to so adjust such

counters before the time set for opening the polls, the election officers shall immediately make a written statement of the designating letter and number of such counter, together with the number registered thereon, and shall sign and post same upon the wall of the polling room, where it shall remain throughout election day, and in filling out the statement of canvass, they shall subtract such number from the number then registered thereon.

Sec. 18. IRREGULAR BALLOTS.—Ballots voted for any person whose name does not appear on the machine as a qualified candidate for office, are herein referred to as irregular ballots. In voting for presidential electors, a voter may vote an irregular ticket made up of the names of persons in nomination by different parties, or partially of names of persons so in nomination and partially of names of persons not in nomination, or wholly of names of persons not in nomination by any party. Such irregular ballot shall be deposited, written or affixed in or upon the receptacle or device provided on the machine for that purpose. An irregular ballot must be cast in its appropriate place on the machine, or it shall be void and not counted.

Sec. 19. LOCATION OF VOTING MACHINES.—At all elections whereat voting machines may be used, the arrangement of the polling room shall be the same as is now provided for by law; the exterior of the voting machine and every part of the polling room shall be in plain view of the election officers; the voting machine shall be placed at least three feet from every wall or partition of the polling room and at least four feet from any table whereat any of the election officers may be engaged or seated. The voting machine shall be so placed that the ballots on the face of the machine can be plainly seen by the election officers and the party watchers when not in use by voters. The election officers shall not themselves be, or permit any other person to be in any position or near any position that will permit one to see or ascertain how a voter votes, or how he has voted. The election officer attending the machine shall inspect the face of the machine after each voter has cast his vote, to see that the ballots on the face of the machine are in their proper places and that the machine has not been injured. During elections the door or other covering of the counter compartment of the machine shall not be unlocked or open, or the counters exposed except for good and sufficient reasons, a statement of which shall be made and signed by the elections officers and shall be sent with the returns. No person shall be permitted in or about the polling room except

as now provided by law in elections where ballots and ballot boxes are used.

Sec. 20. TIME ALLOWED A VOTER.—Where a voter presents himself for the purpose of voting, the election officer shall ascertain whether his name is upon the register of voters, and if his name appear thereon and no challenge be interposed, or if interposed, be not sustained, one of the election officers to be stationed at the entrance through the outer guard rail shall announce the name of the voter and permit him to pass through the entrance opening in the outer guard rail to the booth of the voting machine for the purpose of casting his vote; no voter shall remain in the voting machine booth longer than five minutes, unless for good and sufficient reason he be granted a longer period of time by the election officers in charge, and having cast his vote the voter shall at once emerge therefrom and leave the polling room by the exit opening in the outer guard rail; if he shall refuse to leave after the lapse of five minutes he shall be removed by the election officers; the election officers shall ascertain the name and address of each voter in the manner now provided by law, before he enters the voting machine booth for the purpose of voting; no voter after having entered and emerged from the voting machine booth shall be permitted to re-enter the same on any pretext whatever; only one voter at a time shall be permitted to pass the outer guard rail to vote.

Sec. 21. INSTRUCTING VOTERS ON ELECTION DAY.—For the instruction of voters on any election days there shall, so far as practicable, be provided for each polling place a mechanically operated model of a portion of the face of the machine. Such model, if furnished, shall, during the election, be located on the election officer's table or in some other place which the voters must pass to reach the machine, and each voter shall, before entering the machine, be instructed regarding its operation and such instruction illustrated on the model, and the voter given opportunity to personally operate the model. The voter's attention shall also be called to the diagram of the face of the machine so that the voter can become familiar with the location of the questions and the names of the offices and candidates. In case any voter, after entering the voting machine, shall ask for further instructions concerning the manner of voting, two election officers of opposite political parties, if present, and if not, two election officers of the same party shall give such instructions to him, but no officer or person assisting a voter shall in any manner request, suggest or seek to per-

suade or induce any such voter to vote any particular ticket, or for any particular candidate, or for or against any particular ticket, or for or against any particular candidate, or for or against any particular amendment, question or proposition. After giving them instructions and before such voter shall have registered his vote, the officers or persons assisting him shall retire and such voter shall then register his vote in secret as he may desire.

Sec. 22. **BLIND OR PHYSICALLY DISABLED VOTERS.**—The provisions of the election law relating to the assistance to be given to blind or physically disabled voters shall apply also where voting machines are used, and the word "booth," when used in such sections, shall be interpreted to include the voting machine inclosure or curtain.

Sec. 23. **ANNOUNCING THE VOTE AND LOCKING THE MACHINE AGAINST VOTING.**—Immediately upon the close of the polls, the election officers shall lock and seal the voting machine against further voting and open the counter compartment in the presence of persons who may be lawfully present at that time, giving full view of the counters. The chairman of the board of elections, under the scrutiny of a member of the board of a different political party, if such member desires to be present, and also, under the scrutiny of each candidate or one representative of each candidate voted upon at such election shall then in the order of the offices as their titles are arranged on the machine, read and announce in distinct tones the result as shown by the counters, and shall then read the votes recorded for each office on the irregular ballots; he shall also, in the same manner, read and announce the vote on each constitutional amendment, proposition, or other question. As each vote is read and announced, it shall be recorded on two statements of canvass by two other members of the board of election inspectors, and when completed shall be compared with the numbers on the counters of the machine. If found to be correct, the result shall be announced by the chairman of the board and the statements of canvass, after being duly certified and sworn to, shall be filed as now provided by law for filing election returns. After the reading and announcement of the vote, and before the doors of the counter compartment of the voting machine shall be closed, ample opportunity shall be given to any person or persons lawfully present to compare the results so announced with the counters of the machine and any necessary corrections shall then and there be made by the board of election. No tally sheets nor return blanks as required by law for use in election districts where

paper ballots are used shall be furnished or used in election districts where voting machines are used, but in lieu thereof there shall be furnished two copies of a statement of canvass to conform to the requirements of the voting machine or machines being used.

Sec. 24. LOCKING THE MACHINE AND RETURNING THE IRREGULAR BALLOTS.—The election officers shall, as soon as the count is completed and fully ascertained, as by this Act required, lock the counter compartment and it shall so remain for a period of competent jurisdiction. Whenever irregular ballots of whatever description have been voted, the election officers shall return all such ballots in a properly secured package endorsed "irregular ballots" and return and file such package with the original statement of the result of the election made by them. Said package shall be preserved for six months next succeeding such election, and it shall not be opened or its contents examined during that time except by order of a judge or a court lawfully empowered to direct the same to be opened and examined. At the end of said six months, said package may be opened and said ballots disposed of at the discretion of the official or body having charge thereof.

Sec. 25. DISPOSITION OF KEYS.—The keys of the machine shall be enclosed in an envelope to be supplied by the custodian on which shall be written the number of the machine and the district and ward where it has been used, which envelope shall be securely sealed and endorsed by the election officers, and shall be returned to the officer from whom the keys were received. The number on the seal and the number registered on the protective counter shall be written on the envelope containing the keys. All keys for voting machines shall be kept securely locked by the officials having them in charge. It shall be unlawful for any unauthorized person to have in his possession any key or keys of any voting machine and all election officers or persons entrusted with such keys for election purposes, or in the preparation of the machine therefor, shall not retain them longer than necessary to use them for such legal purpose. All machines shall be boxed and stored as soon after the close of the election as possible, and the machines and the boxes for the machines shall at all times be stored in a suitable place.

Sec. 26. APPLICATION OF PREVIOUS ARTICLE AND PENAL LAW.—Any unauthorized person found in possession of any such voting machine or keys thereof shall be deemed guilty of a misdemeanor and fined in a sum not

less than Twenty-five nor more than Five Hundred Dollars, and imprisonment in the county jail, not less than ten nor more than thirty days; and any person wilfully tampering or attempting to tamper with, disarrange, deface or impair in any manner whatsoever, or destroy any such voting machine while the same is in use at any election, or who shall, after such machine is locked in order to preserve the registration or record of any election made by the same, tamper or attempt to tamper with any voting machine, shall be deemed guilty of a felony, and on conviction thereof, shall be imprisoned in the State Prison of this State at hard labor for not less than three nor more than ten years.

Sec. 27. APPLICATION.—All laws relating to elections no win force in this State shall apply to all elections under this Act so far as the same may be applicable thereto; and so far as such provisions are not inconsistent with the provisions of the Act pertaining to the use of the paper ballots and ballot boxes.

Sec. 28. The purpose and object of this bill is to provide a proper method of experimenting with and trying out what is known as the mechanical balloting or voting machine, and in every case in which the governing authorities of any such city or county, as is hereinbefore described, shall adopt and place in use at any precinct or precincts of such city or county any such machine, the said governing authorities are hereby specifically authorized and empowered to do anything necessary, whether specifically covered by this Act or not, which they shall deem to be requisite to a fair, honest and satisfactory trial and use of such machine.

Sec. 29. Nothing in this Act shall in any way change, alter, repeal or modify any provision of the present election laws of the State of Florida, as the same shall now apply to and be operative in any election precinct in which such balloting machine shall not be used.

Sec. 30. This Act shall take effect immediately upon becoming a law.

Approved May 29, A. D. 1929.

CHAPTER 13894—(No. 330).

AN ACT to Authorize the County Commissioners of Any County in the State of Florida, of a Population of Not Less Than 51,700 or More than 51,714, According to the State Census of 1925, to Adopt for Use or Use Experi-

mentally, a Voting Machine or Voting Machines for the Conduct of Elections in Such Counties, and Setting Forth the Requirements of Such Voting Machines, and Prescribing the Method of Conducting Elections by and with the use of Such Voting Machines and Directing How the Official Returns of Elections Conducted with the Aid of Such Voting Machines Shall Be Made; and Providing a Penalty for Unlawfully Possessing Such Voting Machines or the Keys Thereto and Prescribing a Penalty for Wilfully Tampering or Attempting to Tamper, Disarrange, Deface, or Impair Such Voting Machines, and Also Defining Some of the Terms Used in This Act.

Be It Enacted by the Legislature of the State of Florida:

Section 1. DEFINITIONS.—The list of candidates used or to be used on the front of the voting machine for an election district in which a voting machine is used pursuant to law shall be deemed official ballots under this chapter. The word "ballot" as used in this article (except when reference is made to irregular ballots) means that portion of the cardboard or paper or other material within the ballot frames containing the name of the candidate and the designation of the party by which he was nominated, or a statement of a proposed constitutional amendment, or other question or proposition with the word "yes" for voting for any question or proposition, and the word "no" for voting against any question. The term "question" shall mean any constitutional amendment, proposition or other question submitted to the voters at any election. The term "official ballot" shall mean the printed strips of cardboard containing the names of the candidates nominated and a statement of the question submitted. The term "irregular ballot" shall mean a vote cast, by or on a special device, for a person whose name does not appear on the ballots. The term "voting machine custodian" shall mean the person who shall have charge of preparing and arranging the voting machine for elections. The term "protective counter" shall mean a separate counter built into the voting machine which cannot be reset, which records the total number of movements of the operating lever.

Sec. 2. REQUIREMENTS OF VOTING MACHINES.—

Any voting machines may be adopted, rented, purchased or used which shall be so constructed to fulfill the following requirements: It shall secure to the voter secrecy in the act of voting; it shall provide facilities for voting for or against as many questions as may be submitted; it shall permit the voter to vote for the candidates of one or more parties; it shall permit the voter to vote for as many persons for an

office as he is lawfully entitled to vote for, but no more; it shall prevent the voter from voting for the same persons more than once for the same office; it shall permit the voter to vote for or against any question he may have the right to vote upon, but no other; if used in primary elections, it shall be so equipped that the election officials can lock out all rows except those of the voter's party by a single adjustment on the outside of the machine; it shall correctly register or record, and accurately count all votes cast for any and all persons, and for or against any and all questions, it shall be provided with a "protective counter" or "protective device" whereby any operation of the machine before or after the election will be detected; it shall be provided with a counter which shall show at all times during an election how many persons have voted; it shall be provided with a mechanical model, illustrating the manner of voting on the machine, suitable for the instruction of voters; it may also be provided with one device for each party, for voting for all the presidential electors of that party by one operation, and a ballot therefor containing only the words "Presidential Electors For" preceded by the name of that party and followed by the names of the candidates thereof for the offices of president and vice-president, and a registering device therefor which shall register the vote cast for said electors when thus voted collectively; provided, however, that means shall be furnished whereby the voter can cast a vote in part for the candidates for presidential electors of one party, and in part for those of one or more other parties or in part or in whole for persons not nominated by any party. Every voting machine shall be furnished with a lantern, or a proper substitute for one, which shall give sufficient light to enable voters while voting to read the ballots and suitable for use by the election officers in examining the counters. All voting machines used in any election shall be provided with a screen, hood or curtain which shall be so made and adjusted as to conceal the voter and his action while voting.

Sec. 3. ADOPTION OF VOTING MACHINE.—The Board of County Commissioners of such counties may adopt for use at elections any kind of voting machine that meets the requirements of this Act, and thereupon such voting machine may be used at any and all elections held in such counties, or in any part thereof, for voting, registering and counting votes cast at such elections. Voting machines of different kinds may be adopted for different districts in the same county.

Sec. 4. EXPERIMENTAL USE OF VOTING MACHINE.—The County Commissioners of such counties, authorized by the last preceding section to adopt a voting machine, may provide for the experimental use, at an election in one or more districts of a machine or machines which they might thereafter permanently adopt, and the use of such machine or machines at such election shall be as valid for all purposes as if it, or they, had been permanently adopted.

Sec. 5. PROVIDING MACHINES.—The authorities adopting the use of voting machines shall, as soon as practicable thereafter provide for each polling place one or more voting machines in complete working order, and thereafter the authorities in charge of elections shall preserve and keep them in repair, and shall have custody thereof when not in use at any election. If it shall be impracticable to supply each and every election district with a voting machine or voting machines at any election following such adoption, as many may be supplied as it is practicable to procure, and the same may be used in such election district or districts within such counties as the officers adopting the same may direct.

Sec. 6. PAYMENT FOR MACHINES.—The Boards of County Commissioners of such counties on the adoption and rental or purchase of voting machines may provide for the payment therefor in such manner as they may deem for the best interests of their respective localities.

Sec. 7. PRINTING OFFICIAL BALLOTS.—All ballots shall be printed on paper of clear white material, or such form and size as will fill the ballot frames of the machines in plain color type as large as the space will reasonably permit. Party nominations shall be arranged on each voting machine, either in columns or horizontal rows; the caption of the various ballots on said machines shall be so placed on said machines as to indicate to the voter that push knob, key lever or other device is to be used or operated in order to vote for the candidate or candidates of his choice. The order of arrangement of parties and of candidates shall be as now required by law.

Sec. 8. MAILING OF SAMPLE BALLOTS AND FURNISHING OF INSTRUCTION BALLOTS.—The officer or officers whose duty it may be under this Act to provide and furnish official ballots for any polling place where a voting machine is to be used, shall also provide two sample ballots or instruction ballots which sample or instruction ballots

shall be arranged in the form of a diagram showing such portion of the front of the voting machine as it will appear after the official ballots are arranged thereon or therein for voting on election day. Such sample ballots shall be open to the inspection of all voters on election day, in all primaries and general elections where voting machines are used.

There shall be furnished to the election official, at each polling place, a sufficient number of sample ballots (a fac simile of the face of the machines) of a reduced size, so that one may be given to each voter desiring the same.

Sec. 9. NUMBER OF OFFICIAL BALLOTS TO BE FURNISHED.—Two sets of official ballots shall be provided for each polling place for each election district for use in and upon the voting machine, one set thereof shall be inserted or placed in or upon the voting machine and the other shall be retained in the custody and possession of the Board of Elections, unless it shall become necessary during the course of the election to make use of the same upon or in the voting machine.

Sec. 10. DUTY OF AUTHORITIES OF MUNICIPALITIES.—It shall be the duty of the authorities in charge of any election where a voting machine is to be used, to have the machine and all necessary furniture and appliances at the proper polling place or places before the time fixed for opening of the polls, and the counters set at zero (000), and otherwise in good and proper order for use at such election; and for the purpose of placing ballots in the ballot frames of the machine, putting it in order, testing, and adjusting and delivering the machine, the authorities in charge of elections may employ one or more competent persons to be known as custodian or custodians of voting machines; who shall be fully competent, thoroughly instructed, and sworn to perform their duties honestly and faithfully, and for such purpose shall be appointed and instructed at least thirty days before the election and shall be considered as officers of election. Before preparing a voting machine for any election, written notice shall be mailed to the chairman of the local organization of at least two of the principal parties, stating the time and place where the machines will be prepared, at which time one representative of each of such political parties shall be afforded an opportunity to see that the machines are in proper condition for use in the election; such representatives shall be sworn to faithfully perform their duties and shall be regarded as election officials but shall not interfere with the custodians or assume any of their duties. When a machine has been so examined by such representa-

tives it shall be sealed with a numbered metal seal. Such representatives shall certify to the numbers of the machines, that all of the counters are set at zero (000), and as to the number registered on the protective counter, if one is provided, and on the seal. After the preparation of the machines, an officer or officers or someone duly authorized, other than the person who has prepared them for election, shall inspect each machine, and report in writing, concerning the facts as to whether or not all of the registering counters are set at zero (000), the machine is arranged in all respects in good order for the election and locked; and as to the number registered on the protective counter; and on the seal. When a voting machine has been properly prepared for election, it shall be locked against voting and sealed; and the keys thereof shall be delivered to the board or officials having charge and control of elections, together with a written report made by the custodian, stating that it is in every way properly prepared for the election. After the voting machines shall be transferred to the polling places, it shall be the duty of the local authorities to provide ample protection against molestation or injury to the machine. The lantern or electric light fixture shall be prepared in good order for use before the opening of the polls.

Sec. 11. INSTRUCTION OF ELECTION OFFICERS.—Not less than ten nor more than twenty-one days before each election, the custodian or custodians of the machine shall instruct the Board of Elections that are to serve in an election district in the use of the machine, and in their duties in connection therewith; and he shall give to each member of the Board of Elections who has received such instruction and is fully qualified to properly conduct the election with the machine, a certificate to that effect. For the purpose of giving such instructions the custodian shall call such meeting or meetings of the Board of Elections as shall be necessary. Such custodian shall within five days, file a report with the board or official in charge of elections stating that he has instructed the election officers, giving the names of such officers, and the time and place where such instruction was given. The Board of Elections of each election district in which a voting machine is to be used shall attend such meeting, or meetings, as shall be called for the purpose of receiving such instruction concerning their duties as shall be necessary for the proper conduct of the election with the machine. No member of any Board of Elections shall serve in any election at which a voting machine is used, unless he shall have received such instruction and is fully qualified to perform the duties in connection with the machine, and has

received a certificate to that effect from the custodian of the machines; provided, however, that this shall not prevent the appointment of a person as a member of the Board of Elections to fill a vacancy in an emergency.

Sec. 12. INSTRUCTION OF VOTERS BEFORE ELECTION.—Where voting machines are to be used, the authorities in charge of elections shall designate suitable and adequate times and places where voting machines containing sample ballots showing titles of offices to be filled, and, so far as practicable, the names of candidates to be voted for at the next election shall be exhibited for the purpose of giving instructions as to the use of voting machines to all voters who apply for the same. No voting machine which is to be assigned for use in an election shall be used for such instruction after having been prepared and sealed for the elections. During public exhibition of any voting machine for the instruction of voters previous to an election, the counting mechanism thereof shall be concealed from view and the doors may be temporarily opened only when authorized by the board or official having charge and control of the elections.

Sec. 13. OFFICIAL BALLOTS FURNISHED.—Official ballots of the form and description set forth in this Act for use upon voting machines shall be prepared and furnished in the same manner, at the same time, and be delivered to the same officials as now provided by law.

Sec. 14. NUMBER OF VOTERS IN A DISTRICT.—Election districts in which voting machines are to be used may be altered, divided, or combined so as to provide that each district in which the machine is to be used shall contain as nearly as may be seven hundred and fifty voters, and that each district in which two machines are to be used shall contain as nearly as may be one thousand voters, and that each district in which three machines are to be used shall contain as nearly as may be one thousand five hundred voters, provided that nothing herein shall prevent any election district from containing a less number than above if necessary for the convenience of the voters. Whenever more than two machines are to be used in a district, one additional member of the Board of Elections shall be appointed for each additional machine.

Sec. 15. If the official ballots for an election district or precinct, at which a voting machine is to be used, shall not be delivered in time for use on election day or after delivery shall be lost, destroyed or stolen, the clerk or other official,

or officials, whose duty it now is in such case to provide other ballots for use at such elections in lieu of those lost, destroyed or stolen, shall cause other ballots to be prepared, printed or written as nearly as may be of the form and description of the official ballots, and the Board of Election shall cause the ballots so substituted to be used at the election in the same manner, as nearly as may be, as the official ballots would have been.

Sec. 16. VOTING MACHINE OUT OF ORDER.—In case any voting machine used in any election district shall, during the time the polls are open, become injured so as to render it inoperative in whole or in part, it shall be the duty of the election officers immediately to give notice thereof to the body providing such machine, and it shall be the duty of such body, if possible, to substitute a perfect machine for the injured machine, and at the close of the polls, the records of both machine shall be taken, and the votes shown on their counters shall be added together in ascertaining and determining the results of the election; but if no other machine cannot be repaired in time for use at such election, unofficial ballots made as nearly as possible in the form of the official ballot may be used, received by the election officers and placed by them in a receptacle in such case to be provided by the election officers, and counted with the votes registered on the voting machines; and the result shall be declared the same as though there had been no accident to the voting machine; the ballots thus voted shall be preserved and returned as herein directed with a certificate or statement setting forth how and why the same were voted.

Sec. 17. OPENING OF POLLS.—The Board of Election of each District shall attend at the polling place, three-quarters of an hour before the time set for opening of the polls, at each election, and shall proceed to arrange within the guard rail the furniture, stationery and voting machine for the conduct of the election. The Board of Election shall then and there have the voting machine, ballots and stationery required to be delivered to them for such election. If not previously done, they shall insert in their proper place on the voting machine, the ballots containing the names of the offices to be filled at such election, and the names of candidates nominated therefor. The keys to the voting machine shall be delivered to the election officers at least three-quarters of an hour before the time set for opening the polls, in a sealed envelope, on which shall be written or printed the number and location of the voting machine; the number of the seal and the number registered on the pro-

protective counter or device, as reported by the custodian. The envelope containing the keys shall not be opened until at least one member of the board from each of two political parties shall be present at the polling place, and shall have examined the envelope to see that it has not been opened. Before opening the envelope, all election officers present shall examine the number on the seal on the machine, also the number registered on the protective counter, and shall see if they are the same as the number written on the envelope; and if they are not the same, the machine must not be opened until the custodian or other authorized person, shall have been notified and shall have presented himself at the polling place for the purpose of re-examining such machine and shall certify that it is properly arranged. If the numbers of the seal and protective counter are found to agree with the numbers on the envelope, the election officers shall proceed to open the doors concealing the counters, and each officer shall carefully examine every counter and see that it registers zero (000), and the same shall be subject to the inspection of official watchers. The machine shall remain locked against voting until the polls are formally opened, and shall not be operated except by voters in voting. If any counter is found not to register zero (000), the Board of Election shall immediately notify the custodian, who shall, if practicable, adjust the counters at zero (000), but if it shall be impracticable for the custodian to arrive in time to so adjust such counters before the time set for opening the polls, the election officers shall immediately make a written statement of the designating letter and number of such counter, together with the number registered thereon, and shall sign and post same upon the wall of the polling room, where it shall remain throughout election day, and in filling out the statement of canvass, they shall subtract such number from the number then registered thereon.

Sec. 18. IRREGULAR BALLOTS.—Ballots voted for any person whose name does not appear on the machine as a qualified candidate for office, are herein referred to as irregular ballots. In voting for presidential electors, a voter may vote an irregular ticket made up of the names of persons in nomination by different parties, or partially of names of persons so in nomination and partially of names of persons not in nomination, or wholly of names of persons not in nomination by any party. Such irregular ballot shall be deposited, written or affixed in or upon the receptacle or device provided on the machine for that purpose. An irregular ballot must be cast in its appropriate place on the machine, or it shall be void and not counted.

Sec. 19. LOCATION OF VOTING MACHINES.—At all elections where voting machines may be used, the arrangement of the polling room shall be the same as is now provided for by law; the exterior of the voting machine and every part of the polling room shall be in plain view of the election officers; the voting machine shall be placed at least three feet from every wall or partition of the polling room and at least four feet from any table whereat any of the election officers may be engaged or seated. The voting machine shall be so placed that the ballots on the face of the machine can be plainly seen by the election officers and the party watchers when not in use by voters. The election officers shall not themselves be, or permit any other person to be in any position or near any position that will permit one to see or ascertain how a voter votes, or how he has voted. The election officer attending the machine shall inspect the face of the machine after each voter has cast his vote, to see that the ballots on the face of the machine are in their proper place and that the machine has not been injured. During elections the door or other covering of the counter compartment of the machine shall not be unlocked or open, or the counters exposed except for good and sufficient reasons, a statement of which shall be made and signed by the election officers and shall be sent with the returns. No person shall be permitted in or about the polling room except as now provided by law in elections where ballots and ballot boxes are used.

Sec. 20. TIME ALLOWED A VOTER.—Where a voter presents himself for the purpose of voting, the election officers shall ascertain whether his name is upon the register of voters, and if his name appears thereon and no challenge be interposed, or if interposed, be not sustained, one of the election officers to be stationed at the entrance through the outer guard rail shall announce the name of the voter and permit him to pass through the entrance opening in the outer guard rail to the booth of the voting machine for the purpose of casting his vote; no voter shall remain in the voting machine booth longer than two minutes, unless for good and sufficient reason he be granted a longer period of time by the election officer in charge, and having cast his vote, the voter shall at once emerge therefrom and leave the polling room by the exit opening in the outer guard rail; if he shall refuse to leave after the lapse of two minutes he shall be removed by the election officers; the election officers shall ascertain the name and address of each voter in the manner now provided by law, before he enters the voting

machine booth for the purpose of voting; no voter after having entered and emerged from the voting machine booth shall be permitted to re-enter the same on any pretext whatever; only one voter at a time shall be permitted to pass the outer guard rail to vote.

Sec. 21. INSTRUCTION OF VOTERS ON ELECTION DAY.—For the instruction of voters on any election days there shall, so far as practicable, be provided for each polling place a mechanically operated model of a portion of the face of the machine. Such model, if furnished, shall, during the election, be located on the election officer's table or in some other place which the voters must pass to reach the machine, and each voter shall, before entering the machine, be instructed regarding its operation and such instruction illustrated on the model, and the voter given opportunity to personally operate the model; the voter's attention shall also be called to the diagram of the face of the machine so that the voter can become familiar with the location of the questions and the names of the offices and candidates. In case any voter, after entering the voting machine, shall ask for further instructions concerning the manner of voting, two election officers of opposite political parties, if present, and if not, two election officers of the same party shall give such instructions to him, but no officer or person assisting a voter shall in any manner request, suggest or seek to persuade or induce any such voter to vote any particular ticket, or for any particular candidate, or for or against any particular ticket, or for or against any particular candidate, or for or against any particular amendment, question or proposition. After giving such instructions and before such voter shall have registered his vote, the officers or persons assisting him shall retire and such voter shall then register his vote in secret as he may desire.

Sec. 22. BLIND OR PHYSICALLY DISABLED VOTERS.—The provisions of the election law relating to the assistance to be given to blind or physically disabled voters shall apply also where voting machines are used, and the word "booth," when used in such sections, shall be interpreted to include the voting machine inclosure or curtain.

Sec. 23. ANNOUNCING THE VOTE AND LOCKING THE MACHINE AGAINST VOTING.—Immediately upon the close of the polls, the election officers shall lock and seal the voting machine against further voting and open the counter compartment in the presence of persons who may be lawfully present at that time, giving full view of the

counters. The chairman of the Board of Elections, under the scrutiny of a member of the board of a different political party, if such member desires to be present, shall then in the order of the offices as their titles are arranged on the machine, read and announce in distinct tones the result as shown by the counters, and shall then read the votes recorded for each office on the irregular ballots; he shall also, in the same manner, read and announce the vote on each constitutional amendment, proposition or other question. As each vote is read and announced, it shall be recorded on two statements of canvass by two other members of the Board of Election Inspectors, and when completed shall be compared with the numbers on the counters of the machine. If found to be correct, the result shall be announced by the chairman of the board, and the statements of canvass, after being duly certified and sworn to, shall be filed as now provided by law for filing election returns. After the reading and announcing of the vote, and before the doors of the counter compartment of the voting machine shall be closed, ample opportunity shall be given to any person or persons lawfully present to compare the result so announced with the counters of the machine and any necessary corrections shall then and thereby be made by the Board of Election. No tally sheets nor return blanks as required by law for use in election district where paper ballots are used shall be furnished or used in election districts where voting machines are used, but in lieu thereof there shall be furnished two copies of a statement of canvass to conform to the requirements of the voting machine or machines being used.

Sec. 24. **LOCKING THE MACHINE AND RETURNING THE IRREGULAR BALLOTS.**—The election officers shall, as soon as the count is completed and fully ascertained, as by this Act required, lock the counter compartment and it shall so remain for a period of thirty days, except it be ordered opened by a court of competent jurisdiction. Whenever irregular ballots of whatever description have been voted, the election officers shall return all such ballots in a properly secured package endorsed "irregular ballots" and return and file such package with the original statement of the result of the election made by them. Said package shall be preserved for six months next succeeding such election, and it shall not be opened or its contents examined during that time except by order of a judge or a court lawfully empowered to direct the same to be opened and examined. At the end of six months, said package may be opened and said ballots disposed of at the discretion of the official or body having charge thereof.

Sec. 25. **DISPOSITION OF KEYS.**—The keys of the machine shall be inclosed in an envelope to be supplied by the custodian on which shall be written the number of the machine and the district and ward where it has been used, which envelope shall be securely sealed and endorsed by the election officers, and shall be returned to the officer from whom the keys were received. The number on the seal and the number registered on the protective counter shall be written on the envelope containing the keys. All keys for voting machine shall be kept securely locked by the officials having them in charge. It shall be unlawful for any unauthorized person to have in his possession any key or keys of any voting machine and all election officers or persons entrusted with such keys for election purposes, or in the preparation of the machine therefor, shall not retain them longer than necessary to use them for such legal purpose. All machines shall be boxed and stored as soon after the close of the election as possible, and the machine and the boxes for the machines shall at all times be stored in a suitable place.

Sec. 26. **APPLICATION OF PREVIOUS ARTICLE AND PENAL LAW.**—Any unauthorized person found in possession of any such voting machine or keys thereof shall be deemed guilty of a misdemeanor and fined in a sum not less than twenty-five nor more than five hundred dollars, and imprisonment in the county jail, not less than ten nor more than thirty days; and any person wilfully tampering or attempting to tamper with, disarrange, deface or impair in any manner whatsoever, or destroy any such voting machine while the same is in use at any election, or who shall, after such machine is locked in order to preserve the registration or record of any election made by the same, tamper or attempt to tamper with any voting machine, shall be deemed guilty of a felony, and on conviction thereof shall be imprisoned in the State Prison of this State at hard labor for not less than three nor more than ten years.

Sec. 27. **APPLICATION.**—All laws relating to elections now in force in this State shall apply to all elections under this Act, so far as the same may be applicable thereto; and so far as such provisions are not inconsistent with the provisions of the Act pertaining to the use of the paper ballots and ballot boxes.

Sec. 28. The purpose and object of this bill is to provide a proper method of experimenting with and trying out what is known as the mechanical balloting or voting machine, and in every case in which the governing authorities of such counties, as hereinbefore described, shall adopt and place in

use at any precinct or precincts of such counties, the said County Commissioners are hereby specifically authorized and empowered to do anything necessary, whether specifically covered by this Act or not, which they shall deem to be requisite to a fair, honest and satisfactory trial and use of such machine.

Sec. 29. Nothing in this Act shall in any way change, alter, repeal or modify any provision of the present election laws of the State of Florida, as the same shall now apply to and be operative in any election precinct in which such balloting machine shall not be used.

Sec. 30. This Act shall take effect immediately upon becoming a law.

Approved June 8, A. D. 1929.

CHAPTER 13895—(No. 331).

AN ACT to Authorize the County Commissioners of Any County in the State of Florida of a Population of Not Less Than 9,600 or More than 9,643, According to the State Census of 1925, to Adopt for Use or Use Experimentally, a Voting Machine or Voting Machines for the Conduct of Elections in Such Counties, and Setting Forth the Requirements of Such Voting Machines, and Prescribing the Method of Conducting Elections by and with the Use of Such Voting Machines and Directing How the Official Returns of Elections Conducted with the Aid of Such Voting Machines Shall Be Made, and Providing a Penalty for Unlawfully Possessing Such Voting Machines or the Keys Thereto, and Prescribing a Penalty for Wilfully Tampering or Attempting to Tamper, Disarrange, Deface, or Impair Such Voting Machines, and Also Defining Some of the Terms Used in This Act.

Be It Enacted by the Legislature of the State of Florida:

Section 1. DEFINITIONS.—The list of candidates used or to be used on the front of the voting machine for an election district in which a voting machine is used pursuant to law shall be deemed official ballots under this chapter. The word "ballot" as used in this article (except when reference is made to irregular ballots) means that portion of the cardboard or paper or other material within the ballot frames containing the name of the candidate and the designation of the party by which he was nominated, or a statement of a proposed constitutional amendment, or other question or proposition with the word "yes" for voting for any question

or proposition, and the word "no" for voting against any question. The term "question" shall mean any constitutional amendment, proposition or other question submitted to the voters at any election. The term "official ballot" shall mean the printed strips of cardboard containing the names of the candidates nominated and a statement of the question submitted. The term "irregular ballot" shall mean a vote cast, by or on a special device, for a person whose name does not appear on the ballots. The term "voting machine custodian" shall mean the person who shall have charge of preparing and arranging the voting machine for elections. The term "protective counter" shall mean a separate counter built into the voting machine which cannot be reset, which records the total number of movements of the operating lever.

Sec. 2. REQUIREMENTS OF VOTING MACHINES.—Any voting machines may be adopted, rented, purchased or used which shall be so constructed to fulfill the following requirements: It shall secure to the voter secrecy in the act of voting; it shall provide facilities for voting for or against as many questions as may be submitted; it shall permit the voter to vote for the candidates of one or more parties; it shall permit the voter to vote for as many persons for an office as he is lawfully entitled to vote for, but no more; it shall prevent the voter from voting for the same person more than once for the same office; it shall permit the voter to vote for or against any question he may have the right to vote upon, but no other; if used in primary elections, it shall be so equipped that the election officials can lock out all rows except those of the voter's party by a single adjustment on the outside of the machine; it shall correctly register or record, and accurately count all votes cast for any and all persons, and for or against any and all questions, it shall be provided with a "protective counter" or "protective device" whereby any operation of the machine before or after the election will be detected; it shall be provided with a counter which shall show at all times during an election how many persons have voted; it shall be provided with a mechanical model, illustrating the manner of voting on the machine, suitable for the instruction of voters; it may also be provided with one device for each party, for voting for all the presidential electors of that party by one operation, and a ballot therefor containing only the words "Presidential Electors For" preceded by the name of that party and followed by the names of the candidates thereof for the offices of president and vice-president, and a registering device therefor which shall register the vote cast for said electors when thus voted collectively, provided, however, that means

shall be furnished whereby the voter can cast a vote in part for the candidates for presidential electors of one party, and in part for those of one or more other parties or in part or in whole for persons not nominated by any party. Every voting machine shall be furnished with a lantern, or a proper substitute for one, which shall give sufficient light to enable voters while voting to read the ballots and suitable for use by the election officers in examining the counters. All voting machines used in any election shall be provided with a screen, hood or curtain which shall be so made and adjusted as to conceal the voter and his action while voting.

Sec. 3. ADOPTION OF VOTING MACHINE.—The Board of County Commissioners of such counties may adopt for use at elections any kind of voting machine that meets the requirements of this Act, and thereupon such voting machine may be used at any and all elections held in such counties, or in any part thereof, for voting, registering and counting votes cast at such elections. Voting machines of different kinds may be adopted for different districts in the same county.

Sec. 4. EXPERIMENTAL USE OF VOTING MACHINE.—The County Commissioners of such counties, authorized by the last preceding section to adopt a voting machine, may provide for the experimental use, at an election in one or more districts of a machine or machines which they might thereafter permanently adopt, and the use of such machine or machines at such election shall be as valid for all purposes as if it, or they, had been permanently adopted.

Sec. 5. PROVIDING MACHINES.—The authorities adopting the use of voting machines shall, as soon as practicable thereafter provide for each polling place one or more voting machines in complete working order, and thereafter the authorities in charge of elections shall preserve and keep them in repair, and shall have custody thereof when not in use at an election. If it shall be impracticable to supply each and every election district with a voting machine or voting machines at any election following such adoption, as many may be supplied as it is practicable to procure, and the same may be used in such election district or districts within such counties as the officers adopting the same may direct.

Sec. 6. PAYMENT FOR MACHINES.—The Boards of County Commissioners of such county on the adoption and rental or purchase of voting machines may provide for the payment therefor in such manner as they may deem for the best interest of their respective localities.

Sec. 7. PRINTING OFFICIAL BALLOTS.—All ballots shall be printed on paper of clear white material, of such form and size as will fill the ballot frames of the machines, in plain color type as large as the space will reasonably permit. Party nominations shall be arranged on each voting machine, either in columns or horizontal rows; the caption of the various ballots on said machines shall be so placed on said machines as to indicate to the voter that push knob, key lever or other device is to be used or operated in order to vote for the candidate or candidates of his choice. The order of arrangement of parties and of candidates shall be as now required by law.

Sec. 8. MAILING OF SAMPLE BALLOTS AND FURNISHING OF INSTRUCTION BALLOTS.—The officer or officers whose duty it may be under this Act to provide and furnish official ballots for any polling place where a voting machine is to be used, shall also provide two sample ballots or instruction ballots which sample or instruction ballots shall be arranged in the form of a diagram showing such portion of the front of the voting machine as it will appear after the official ballots are arranged thereon or therein for voting on election day. Such sample ballots shall be open to the inspection of all voters on election day, in all primaries and general elections where voting machines are used.

There shall be furnished to the election official, at each polling place, a sufficient number of sample ballots (a facsimile of the face of the machines) of a reduced size, so that one may be given to each voter desiring the same.

Sec. 9. NUMBER OF OFFICIAL BALLOTS TO BE FURNISHED.—Two sets of official ballots shall be provided each polling place for each election district for use in and upon the voting machine, one set thereof shall be inserted or placed in or upon the voting machine and the other shall be retained in the custody and possession of the Board of Elections, unless it shall become necessary during the course of the election to make use of the same upon or in the voting machine.

Sec. 10. DUTY OF AUTHORITIES OF MUNICIPALITIES.—It shall be the duty of the authorities in charge of any election where a voting machine is to be used, to have the machine and all necessary furniture and appliances at the proper polling place or places before the time fixed for opening of the polls, and the counters set at zero (000), and otherwise in good and proper order for use at such election; and for the purpose of placing ballots in the ballot frames

of the machine, putting it in order, testing and adjusting and delivering the machines, the authorities in charge of elections may employ one or more competent persons to be known as custodian or custodians of voting machines; who shall be fully competent, thoroughly instructed, and sworn to perform their duties honestly and faithfully, and for such purpose shall be appointed and instructed at least thirty days before the election and shall be considered as officers of election. Before preparing a voting machine for any election, written notice shall be mailed to the chairman of the local organization of at least two of the principal parties, stating the time and place where the machines will be prepared, at which time one representative of each of such political parties shall be afforded an opportunity to see that the machines are in proper condition for use in the election; such representatives shall be sworn to faithfully perform their duties and shall be regarded as election officials, but shall not interfere with the custodians or assume any of their duties. When a machine has been so examined by such representatives it shall be sealed with a numbered metal seal. Such representatives shall certify to the numbers of the machines, that all of the counters are set at zero (000), and as to the number registered on the protective counter, if one is provided, and on the seal. After the preparation of the machines, an officer or officers, or someone duly authorized, other than the person who has prepared them for election, shall inspect each machine, and report in writing, concerning the facts as to whether or not all of the registering counters are set at zero (000); the machine is arranged in all respects in good order for the election and locked, and as to the number registered on the protective counter, and on the seal. When a voting machine has been properly prepared for election, it shall be locked against voting and sealed; and the keys thereof shall be delivered to the board of officials having charge and control of elections, together with a written report made by the custodian, stating that it is in every way properly prepared for the election. After the voting machines shall be transferred to the polling places, it shall be the duty of the local authorities to provide ample protection against molestation or injury to the machine. The lantern or electric light fixture shall be prepared in good order for use before the opening of the polls.

Sec. 11. INSTRUCTION TO ELECTION OFFICERS.—Not less than ten nor more than twenty-one days before each election the custodian or custodians of the machine shall instruct the board of elections that are to serve in an election district in the use of the machine, and in their duties

in connection therewith; and he shall give to each member of the Board of Elections who has received such instruction and is fully qualified to properly conduct the election with the machine, a certificate to that effect. For the purpose of giving such instructions the custodian shall call such meeting or meetings of the Board of Elections as shall be necessary. Such custodian shall, within five days, file a report with the board or official in charge of elections, stating that he has instructed the election officers, giving the names of such officers, and the time and place where such instruction was given. The Board of Elections of each election district in which a voting machine is to be used shall attend such meeting, or meetings, as shall be called for the purpose of receiving such instruction concerning their duties as shall be necessary for the proper conduct of the election with the machine. No member of any Board of Elections shall serve in any election at which a voting machine is used, unless he shall have received such instruction and is fully qualified to perform the duties in connection with the machine, and has received a certificate to that effect from the custodian of the machines; provided, however, that this shall not prevent the appointment of a person as a member of the Board of Elections to fill a vacancy in an emergency.

Sec. 12. INSTRUCTION TO VOTERS BEFORE ELECTION.—Where voting machines are to be used, the authorities in charge of elections shall designate suitable and adequate times and places where voting machines containing sample ballots showing titles of offices to be filled, and, so far as practicable, the names of candidates to be voted for at the next election shall be exhibited for the purpose of giving instructions as to the use of voting machines to all voters who apply for the same. No voting machine which is to be assigned for use in an election shall be used for such instruction after having been prepared and sealed for the elections. During public exhibition of any voting machine for the instruction of voters previous to an election, the counting mechanism thereof shall be concealed from view and the doors may be temporarily opened only when authorized by the board or official having charge and control of the elections.

Sec. 13. OFFICIAL BALLOTS FURNISHED.—Official ballots of the form and description set forth in this Act for use upon voting machines shall be prepared and furnished in the same manner, at the same time, and be delivered to the same officials as now provided by law.

Sec. 14. NUMBER OF VOTERS IN A DISTRICT.—Election districts in which voting machines are to be used may be altered, divided, or combined so as to provide that each district in which the machine is to be used shall contain, as nearly as may be, seven hundred and fifty voters, and that each district in which two machines are to be used shall contain, as nearly as may be, one thousand voters, and that each district in which three machines are to be used shall contain, as nearly as may be, one thousand five hundred voters, provided that nothing herein shall prevent any election district from containing a less number than above if necessary for the convenience of the voters. Whenever more than two machines are to be used in a district, one additional member of the Board of Elections shall be appointed for each additional machine.

Sec. 15. If the official ballots for an election district or precinct, at which a voting machine is to be used, shall not be delivered in time for use on election day, or after delivery shall be lost, destroyed or stolen, the clerk or other official or officials, whose duty it now is in such case to provide other ballots for use at such elections in lieu of those lost, destroyed or stolen, shall cause other ballots to be prepared, printed or written as nearly as may be of the form and description of the official ballots, and the Board of Election shall cause the ballots so substituted to be used at the election in the same manner, as nearly as may be, as the official ballots would have been.

Sec. 16. VOTING MACHINE OUT OF ORDER.—In case any voting machine used in any election district shall, during the time the polls are open, become injured so as to render it inoperative, in whole or in part, it shall be the duty of the election officers immediately to give notice thereof to the body providing such machine, and it shall be the duty of such body, if possible, to substitute a perfect machine for the injured machine, and at the close of the polls, the records of both machines shall be taken, and the votes shown on their counters shall be added together in ascertaining and determining the results of the election; but if no other machine cannot be repaired in time for use at such election, unofficial ballots made as nearly as possible in the form of the official ballots may be used, received by the election officers and placed by them in a receptacle in such case to be provided by the election officers, and counted with the votes registered on the voting machines; and the result shall be declared the same as though there had been no accident to the voting machine; the ballots thus voted shall

be preserved and returned as herein directed with a certificate or statement setting forth how and why the same were voted.

Sec. 17. OPENING OF POLLS.—The Boards of Election of each district shall attend at the polling place, three-quarters of an hour before the time set for opening of the polls, at each election, and shall proceed to arrange within the guard rail the furniture, stationery and voting machine for the conduct of the election. The Board of Election shall then and there have the voting machine, ballots and stationery required to be delivered to them for such election. If not previously done, they shall insert in their proper place on the voting machine the ballots containing the names of the officers to be filled at such election, and the names of candidates nominated therefor. The keys to the voting machine shall be delivered to the election officers at least three-quarters of an hour before the time set for opening the polls, in a sealed envelope on which shall be written or printed the number and location of the voting machine; the number of the seal and the number registered on the protective counter or device, as reported by the custodian. The envelope containing the keys shall not be opened until at least one member of the board from each of two political parties shall be present at the polling place, and shall have examined the envelope to see that it has not been opened. Before opening the envelope, all election officers present shall examine the number on the seal of the machine, also the number registered on the protective counter, and shall see if they are the same as the number written on the envelope; and if they are not the same, the machine must not be opened until the custodian or other authorized person shall have been notified and shall have presented himself at the polling place for the purpose of re-examining such machine and shall certify that it is properly arranged. If the numbers of the seal and protective counter are found to agree with the numbers on the envelope, the election officers shall proceed to open the doors concealing the counters, and each officer shall carefully examine every counter and see that it registers zero (000), and the same shall be subject to the inspection of official watchers. The machine shall remain locked against voting until the polls are formally opened, and shall not be operated except by voters in voting. If any counter is found not to register zero (000) the Board of Election shall immediately notify the custodian, who shall, if practicable, adjust the counters at zero (000) but if it shall be impracticable for the custodian to arrive in time to so adjust such counters before the time set for opening the polls, the election officers

shall immediately make a written statement of the designating letter and number of such counter, together with the number registered thereon, and shall sign and post same upon the wall of the polling room, where it shall remain throughout election day, and in filling out the statement of canvass, they shall subtract such number from the number then registered thereon.

Sec. 18. **IRREGULAR BALLOTS.**—Ballots voted for any person whose name does not appear on the machine as a qualified candidate for office, are herein referred to as irregular ballots. In voting for presidential electors, a voter may vote an irregular ticket made up of the names of persons in nomination by different parties, or partially of names of persons so in nomination and partially of names of persons not in nomination, or wholly of names of persons not in nomination by any party. Such irregular ballot shall be deposited, written or affixed in or upon the receptacle or device provided on the machine for that purpose. An irregular ballot must be cast in its appropriate place on the machine, or it shall be void and not counted.

Sec. 19. **LOCATION OF VOTING MACHINES.**—At all elections where voting machines may be used, the arrangement of the polling room shall be the same as is now provided for by law; the exterior of the voting machine and every part of the polling room shall be in plain view of the election officers; the voting machine shall be placed at least three feet from every wall or partition of the polling room and at least four feet from any table whereat any of the election officers may be engaged or seated. The voting machine shall be so placed that the ballots on the face of the machine can be plainly seen by the election officers and the party watchers when not in use by voters. The election officers shall not themselves be, or permit any other person to be in any position or near any position that will permit one to see or ascertain how a voter votes, or how he has voted. The election officer attending the machine shall inspect the face of the machine after each voter has cast his vote, to see that the ballots on the face of the machine are in their proper place and that the machine has not been injured. During elections the door or other covering of the counter compartment of the machine shall not be unlocked or open, or the counters exposed except for good and sufficient reasons, a statement of which shall be made and signed by the election officers and shall be sent with the returns. No person shall be permitted in or about the polling room except as now provided by law in elections where ballots and ballot boxes are used.

Sec. 20. TIME ALLOWED A VOTER.—Where a voter presents himself for the purpose of voting, the election officers shall ascertain whether his name is upon the register of voters, and if his name appears thereon and no challenge be interposed, or if interposed, be not sustained, one of the election officers to be stationed at the entrance through the outer guard rail shall announce the name of the voter and permit him to pass through the entrance opening in the outer guard rail to the booth of the voting machine for the purpose of casting his vote; no voter shall remain in the voting machine booth longer than two minutes, unless for good and sufficient reason he be granted a longer period of time by the election officer in charge, and having cast his vote the voter shall at once emerge therefrom and leave the polling room by the exit opening in the outer guard rail; if he shall refuse to leave after the lapse of two minutes he shall be removed by the election officers; the election officers shall ascertain the name and address of each voter in the manner now provided by law, before he enters the voting machine booth for the purpose of voting; no voter after having enter and emerged from the voting machine booth shall be permitted to re-enter the same on any pretext whatever; only one voter at a time shall be permitted to pass the outer guard rail to vote.

Sec. 21. INSTRUCTION TO VOTERS ON ELECTION DAY.—For the instruction of voters on any election days there shall, so far as practicable, be provided for each polling place a mechanically operated model of a portion of the face of the machine. Such model, if furnished, shall, during the election, be located on the election officer's table or in some other place which the voters must pass to reach the machine, and each voter shall, before entering the machine, be instructed regarding its operation and such instruction illustrated on the model, and the voter given opportunity to personally operate the model, the voter's attention shall also be called to the diagram of the face of the machine so that the voter can become familiar with the location of the questions and the names of the officers and candidates. In case any voter, after entering the voting machine, shall ask for further instructions concerning the manner of voting, two election officers of opposite political parties, if present, and if not, two election officers of the same party shall give such instructions to him, but no officer or person assisting a voter shall in any manner request, suggest or seek to persuade or induce any such voter to vote any particular ticket, or for any particular candidate, or for or against any particular ticket, or for or against any particular candidate, or for or

against any particular amendment, question or proposition. After giving such instructions and before such voter shall have registered his vote, the officers or persons assisting him shall retire and such voter shall then register his vote in secret as he may desire.

Sec. 22. BLIND OR PHYSICALLY DISABLED VOTERS.—The provisions of the election law relating to the assistance to be given to blind or physically disabled voters shall apply also where voting machines are used, and the word "booth," when used in such sections, shall be interpreted to include the voting machine inclosure or curtain.

Sec. 23. ANNOUNCING THE VOTE AND LOCKING THE MACHINE AGAINST VOTING.—Immediately upon the close of the polls, the election officers shall lock and seal the voting machine against further voting and open the counter compartment in the presence of persons who may be lawfully present at that time, giving full view of the counters. The chairman of the Board of Elections, under the scrutiny of a member of the board of a different political party, if such member desires to be present shall then in the order of the officers as their titles are arranged on the machine, read and announce in distinct tones the result as shown by the counters, and shall then read the votes recorded for each office on the irregular ballots; he shall also, in the same manner, read and announce the vote on each constitutional amendment, proposition or other question. As each vote is read and announced, it shall be recorded on two statements of canvass by two other members of the Board of Election inspectors, and when completed shall be compared with the numbers on the counters of the machine. If found to be correct, the result shall be announced by the chairman of the board and the statements of canvass, after being duly certified and sworn to, shall be filed as now provided by law for filing election returns. After the reading and announcing of the vote, and before the doors of the counter compartment of the voting machine shall be closed, ample opportunity shall be given to any person or persons lawfully present to compare the result so announced with the counters of the machine and any necessary corrections shall then and thereby be made by the Board of Election. No tally sheets nor return blanks as required by law for use in election districts where paper ballots are used shall be furnished or used in election districts where voting machines are used, but in lieu thereof there shall be furnished two copies of a statement of canvass to conform to the requirements of the voting machine or machines being used.

Sec. 24. LOCKING THE MACHINE AND RETURNING THE IRREGULAR BALLOTS.—The election officers shall, as soon as the count is completed and fully ascertained, as by this Act required, lock the counter compartment and it shall so remain for a period of thirty days, except it be ordered opened by a court of competent jurisdiction. Whenever irregular ballots of whatever description have been voted, the election officers shall return all such ballots in a properly secured package endorsed "irregular ballots" and return and file such package with the original statement of the result of the election made by them. Said package shall be preserved for six months next succeeding such election, and it shall not be opened or its contents examined during that time except by order of a judge or a court lawfully empowered to direct the same to be opened and examined. At the end of said six months, said package may be opened and said ballots disposed of at the discretion of the official or body having charge thereof.

Sec. 25. DISPOSITION OF KEYS.—The keys of the machine shall be inclosed in an envelope to be supplied by the custodian on which shall be written the number of the machine and the district and ward where it has been used, which envelope shall be securely sealed and endorsed by the election officers, and shall be returned to the officer from whom the keys were received. The number on the seal and the number registered on the protective counter shall be written on the envelope containing the keys. All keys for voting machines shall be kept securely locked by the officials having them in charge. It shall be unlawful for any unauthorized person to have in his possession any key or keys of any voting machine and all election officers or persons intrusted with such keys for election purposes, or in the preparation of the machine therefor, shall not retain them longer than necessary to use them for such legal purpose. All machines shall be boxed and stored as soon after the close of the election as possible, and the machine and the boxes for the machines shall at all times be stored in a suitable place.

Sec. 26. APPLICATION OF PREVIOUS ARTICLE AND PENAL LAW.—Any unauthorized person found in possession of any such voting machine or keys thereof shall be deemed guilty of a misdemeanor and fined in a sum not less than twenty-five nor more than five hundred dollars, and imprisonment in the county jail, not less than ten nor more than thirty days; and any person wilfully tampering or attempting to tamper with, disarrange, deface or impair in

any manner whatsoever, or destroy any such voting machine while the same is in use at any election, or who shall after such machine is locked in order to preserve the registration or record of any election made by the same, tamper or attempt to tamper with any voting machine, shall be deemed guilty of a felony, and on conviction thereof shall be imprisoned in the State Prison of this State at hard labor for not less than three nor more than ten years.

Sec. 27. APPLICATION.—All laws relating to elections now in force in this State shall apply to all elections under the Act so far as the same may be applicable thereto; and so far as such provisions are not inconsistent with the provisions of the Act pertaining to the use of the paper ballots and ballot boxes.

Sec. 28. The purpose and object of this bill is to provide a proper method of experimenting with and trying out what is known as the mechanical balloting or voting machine, and in every case in which the governing authorities of such counties, as is hereinbefore described, shall adopt and place in use at any precinct or precincts of such counties, the said County Commissioners are hereby specifically authorized and empowered to do anything necessary, whether specifically covered by this Act or not, which they shall deem to be requisite to a fair, honest and satisfactory trial and use of such machine.

Sec. 29. Nothing in this Act shall in any way change, alter, repeal or modify any provision of the present election laws of the State of Florida, as the same shall now apply to and be operative in any election precinct in which such balloting machine shall not be used.

Sec. 30. This Act shall take effect immediately upon becoming a law.

Approved June 7, A. D. 1929.

CHAPTER 13896—(No. 332).

AN ACT to Authorize the County Commissioners of Any County Having a Population of Not Less Than 63,900 or More Than 63,925, According to the State Census of 1925, or the Governing Body of Any Municipality, Within the State of Florida, to Adopt for Use or Use Experimentally a Voting Machine or Voting Machines for the Conduct of Elections in Such Counties or Municipalities, and Setting Forth the Requirements of Such Voting Machines and

Prescribing the Method of Conducting Elections by and With the Aid of Such Voting Machines, and Directing How the Official Returns of Elections Conducted Shall Be Made, and Providing a Penalty for Unlawfully Possessing Such Voting Machines or the Keys Thereto, and Prescribing a Penalty, for Wilfully Tampering or Attempting to Tamper, Disarrange, Deface, or Impair Such Voting Machines, and Also Defining Some of the Terms Used in This Act.

Be It Enacted by the Legislature of the State of Florida:

Section 1. DEFINITIONS.—The list of candidates used or to be used on the front of the voting machine for an election district in which a voting machine is used pursuant to law shall be deemed official ballots under this chapter. The word "Ballot" as used in this Article (except when reference is made to irregular ballots) means that portion of the cardboard or paper or other material within the ballot frames containing the name of the candidate and the designation of the party by which he was nominated, or a statement of a proposed constitutional amendment, or other question or proposition with the word "yes" for voting for any question or proposition, and the word "no" for voting against any question. The term "question" shall mean any constitutional amendment, proposition or other question submitted to the voters at any election. The term "official ballot" shall mean the printed strips of cardboard containing the names of the candidates nominated and a statement of the questions submitted. The term "irregular ballot" shall mean a vote cast by or on a special device, for a person whose name does not appear on the ballot. The term "voting machine custodian" shall mean the person who shall have charge of preparing and arranging the voting machine for elections. The term "protective counter" shall mean a separate counter built into the voting machine which cannot be reset, which records the total number of movements of the operating lever.

Sec. 2. REQUIREMENTS OF VOTING MACHINES.—Any voting machines may be adopted, rented, purchased or used which shall be so constructed as to fulfill the following requirements: It shall secure to the voter secrecy in the act of voting; it shall provide facilities for voting for or against as many questions as may be submitted; it shall permit the voter to vote for the candidates of one or more parties; it shall permit the voter to vote for as many persons for an office as he is lawfully entitled to vote for, but no more; it shall prevent the voter from voting for the same persons

more than once for the same office; it shall permit the voter to vote for or against any question he may have the right to vote upon, but no other; if used in primary elections, it shall be so equipped that the election officials can lock out all rows except those of the voter's party by a single adjustment on the outside of the machine; it shall correctly register or record, and accurately count all votes cast for any and all persons, and for or against any and all questions, it shall be provided with a "Protective Counter" or "Protective Device" whereby any operation of the machine before or after the election will be detected; it shall be provided with a counter which shall show at all times during an election how many persons have voted; it shall be provided with a mechanical model, illustrating the manner of voting on the machine, suitable for the instruction of voters; it may also be provided with one device for each party, for voting for all the presidential electors of that party by one operation, and a ballot therefor containing only the words "Presidential Electors For" preceded by the name of that party and followed by the names of the candidates thereof for the offices of President and Vice-President, and a registering device therefor which shall register the vote cast for said electors when thus voted collectively; provided, however, that means shall be furnished whereby the voter can cast a vote in part for the candidates for presidential electors of one party, and in part for those of one or more other parties or in part or in whole for persons not nominated by any party. Every voting machine shall be furnished with a lantern, or a proper substitute for one, which shall give sufficient light to enable voters while voting to read the ballots and suitable for use by the election officers in examining the counters. All voting machines used in any election shall be provided with a screen, hood or curtain which shall be so made and adjusted as to conceal the voter and his action while voting.

Sec. 3. ADOPTION OF VOTING MACHINE.—The Board of County Commissioners of any County having a population of not less than 63,900 or more than 63,925, according to the State census of 1925, or the governing body of any municipality, may adopt for use at elections any kind of voting machine that meets the requirements of this Act, and thereupon such voting machine may be used at any or all elections held in such county or municipality, or in any part thereof, for voting, registering and counting votes cast at such elections. Voting machines or different kinds may be adopted for different districts in the same county or municipality.

Sec. 4. EXPERIMENTAL USE OF VOTING MACHINE.—The County Commissioners of any County having a population of not less than 63,900 or more than 63,925, according to the State census of 1925, or the governing body of any municipality, authorized by the last preceding section to adopt a voting machine, may provide for the experimental use, at an election in one or more districts of a machine or machines which they might thereafter permanently adopt, and the use of such machine or machines at such election shall be as valid for all purposes as if it, or they, had been permanently adopted.

Sec. 5. PROVIDING MACHINES.—The authorities adopting the use of voting machines shall, as soon as practicable thereafter, provide for each polling place one or more voting machines in complete working order, and thereafter the authorities in charge of elections shall preserve and keep them in repair, and shall have custody thereof when not in use at an election. If it shall be impracticable to supply each and every election district with a voting machine or voting machines at any election following such adoption, as many may be supplied as it is practicable to procure, and the same may be used in such election district or districts within such county or municipality as the officers adopting the same may direct.

Sec. 6. PAYMENT FOR MACHINES.—The Boards of County Commissioners or the municipal authorities on the adoption and rental or purchase of voting machines may provide for the payment therefor in such manner as they may deem for the best interest of their respective localities.

Sec. 7. PRINTING OFFICIAL BALLOTS.—All ballots shall be printed on paper or clear white material, of such form and size as will fill the ballot frames of the machines, in plain color type as large as the space will reasonably permit. Party nominations shall be arranged on each voting machine, either in columns or horizontal rows; the caption of the various ballots on said machines shall be so placed on said machines as to indicate to the voter what push knob, key lever or other device is to be used or operated in order to vote for the candidate or candidates of his choice. The order of the arrangement of parties and of candidates shall be as now required by law.

Sec. 8. MAILING OF SAMPLE BALLOTS AND FURNISHING OF INSTRUCTION BALLOTS.—The officer or officers whose duty it may be under this Act to provide and furnish official ballots for any polling place where a voting

machine is to be used, shall also provide two sample ballots or instruction ballots, which sample or instruction ballots shall be arranged in the form of a diagram showing such portion of the front of the voting machine as it will appear after the official ballots are arranged thereon or therein for voting on election day. Such sample ballots shall be open to the inspection of all voters on election day, in all primaries and general elections where voting machines are used.

There shall be furnished to the election official, at each polling place, a sufficient number of sample ballots (a fac simile of the face of the machine) of a reduced size, so that one may be given to each voter desiring the same.

Sec. 9. NUMBER OF OFFICIAL BALLOTS TO BE FURNISHED.—Two sets of official ballots shall be provided for each polling place for each election district for use in and upon the voting machine, one set thereof shall be inserted or placed in or upon the voting machine and the other shall be retained in the custody and possession of the Board of Elections, unless it shall become necessary during the course of the election to make use of the same upon or in the voting machine.

Sec. 10. DUTY OF AUTHORITIES OF MUNICIPALITIES.—It shall be the duty of the authorities in charge of any election where a voting machine is to be used, to have the machine and all necessary furniture and appliances at the proper polling place or places before the time fixed for opening of the polls, and the counters set at zero (000), and otherwise in good and proper order for use at such election; and for the purpose of placing ballots in the ballot frames of the machine, putting it in order, testing, and adjusting and delivering the machine, the authorities in charge of elections may employ one or more competent persons to be known as custodian or custodians of voting machines; who shall be fully competent, thoroughly instructed, and sworn to perform their duties honestly and faithfully, and for such purpose shall be appointed and instructed at least thirty days before the election and shall be considered as officers of elections. Before preparing a voting machine for any election, written notice shall be mailed to the chairman of the local organization of at least two of the principal parties, stating the time and place where the machine will be prepared, at which time one representative of each of such political parties shall be afforded an opportunity to see that the machines are in proper condition for use in the election; such representatives shall be sworn to faithfully perform their duties and shall be regarded as election officials but

shall not interfere with the custodians or assume any of their duties. When a machine has been so examined by such representatives it shall be sealed with a numbered metal seal. Such representatives shall certify to the numbers of the machines, that all of the counters are set at zero (000), and as to the number registered on the protective counter, if one is provided, and on the seal. After the preparation of the machines, an officer or officers or someone duly authorized, other than the person who has prepared them for election, shall inspect each machine, and report in writing, concerning the facts as to whether or not all of the registering counters are set at zero (000), the machine is arranged in all respects in good order for the election and locked; and as to the number registered on the protective counter; and on the seal. When a voting machine has been properly prepared for election, it shall be locked against voting and sealed; and the keys thereof shall be delivered to the board or officials having charge and control of elections, together with a written report made by the custodian, stating that it is in every way properly prepared for the election. After the voting machines shall be transferred to the polling places, it shall be the duty of the local authorities to provide ample protection against molestation or injury to the machine. The lantern or electric light fixture shall be prepared in good order for use before the opening of the polls.

Sec. 11. INSTRUCTION OF ELECTION OFFICERS.—Not less than ten nor more than twenty-one days before each election, the custodian or custodians of the machine shall instruct the Board of Elections that are to serve in an election district in the use of the machine, and in their duties in connection therewith; and he shall give to each member of the Board of Elections who has received such instruction and is fully qualified to properly conduct the election with the machine, a certificate to that effect. For the purpose of giving such instructions the custodian shall call such meeting or meetings of the Board of Elections as shall be necessary. Such custodian shall within five days, file a report with the board or official in charge of elections stating that he has instructed the election officers, giving the names of such officers, and the time and place where such instruction was given. The Board of Elections of each election district in which a voting machine is to be used shall attend such meeting, or meetings, as shall be called for the purpose of receiving such instructing concerning their duties as shall be necessary for the proper conduct of the election with the machine. No member of any Board of Elections shall serve in any election at which a voting machine is used, unless

he shall have received such instruction and is fully qualified to perform the duties in connection with the machine, and has received a certificate to that effect from the custodian of the machines; provided, however, that this shall not prevent the appointment of a person as a member of the Board of Elections to fill a vacancy in an emergency.

Sec. 12. INSTRUCTION OF VOTERS BEFORE ELECTION.—Where voting machines are to be used, the authorities in charge of elections shall designate suitable and adequate times and places where voting machines containing sample ballots showing titles of offices to be filled, and, so far as practicable, the names of candidates to be voted for at the next election shall be exhibited for the purpose of giving instructions as to the use of voting machines to all voters who apply for the same. No voting machine which is to be assigned for use in an election shall be used for such instruction after having been prepared and sealed for the election. During public exhibition of any voting machine for the instruction of voters previous to an election, the counting mechanism thereof shall be concealed from view and the doors may be temporarily opened only when authorized by the board or official having charge and control of the elections.

Sec. 13. OFFICIAL BALLOTS FURNISHED.—Official ballots of the form and description set forth in this Act for use upon voting machines shall be prepared and furnished in the same manner, at the same time, and be delivered to the same officials as now provided by law.

Sec. 14. NUMBER OF VOTERS IN A DISTRICT.—Election districts in which voting machines are to be used may be altered, divided, or combined so as to provide that each district in which the machine is to be used shall contain as nearly as may be seven hundred and fifty voters, and that each district in which two machines are to be used shall contain as nearly as may be one thousand voters, and that each district in which three machines are to be used shall contain as nearly as may be one thousand five hundred voters, provided that nothing herein shall prevent any election district from containing a less number than above if necessary for the convenience of the voters. Whenever more than two machines are to be used in a district, one additional member of the Board of Elections shall be appointed for each additional machine.

Sec. 15. If the official ballots for an election district or precinct, at which a voting machine is to be used, shall not

be delivered in time for use on election day or after delivery shall be lost, destroyed or stolen, the clerk or other official, or officials, whose duty it now is in such case to provide other ballots for use at such elections in lieu of those lost, destroyed or stolen, shall cause other ballots to be prepared, printed or written as nearly as may be of the form and description of the official ballots, and the Board of Election shall cause the ballots so substituted to be used at the election in the same manner, as nearly as may be, as the official ballots would have been.

Sec. 16. VOTING MACHINE OUT OF ORDER.—In case any voting machine used in any election district shall, during the time the polls are open, become injured so as to render it inoperative in whole or in part, it shall be the duty of the election officers immediately to give notice thereof to the body providing such machine, and it shall be the duty of such body, if possible, to substitute a perfect machine for the injured machine, and at the close of the polls, the records of both machines shall be taken, and the votes shown on their counters shall be added together in ascertaining and determining the results of the election; but if no other machine can be prepared for use at such election, and the one injured cannot be repaired in time for use at such election, unofficial ballots made as nearly as possible in the form of the official ballot may be used, received by the election officers and placed by them in a receptacle in such case to be provided by the election officers, and counted with the votes registered on the voting machines; and the result shall be declared the same as though there had been no accident to the voting machine; the ballots thus voted shall be preserved and returned as herein directed with a certificate or statement setting forth how and why the same were voted.

Sec. 17. OPENING OF POLLS.—The Boards of Election of each district shall attend at the polling place three-quarters of an hour before the time set for opening of the polls, at each election, and shall proceed to arrange within the guard-rail the furniture, stationery and voting machine for the conduct of the election. The Boards of Election shall then and there have the voting machine, ballots, and stationery required to be delivered to them for such election. If not previously done, they shall insert in their proper place on the voting machine, the ballots containing the names of offices to be filled at such election, and the names of candidates nominated therefor. The keys to the voting machine shall be delivered to the election officers at least three-

quarters of an hour before the time set for opening the polls, in a sealed envelope, on which shall be written or printed the number and location of the voting machine; the number of the seal and the number registered on the protective counter or device, as reported by the custodian. The envelope containing the keys shall not be opened until at least one member of the board from each of two political parties shall be present at the polling place, and shall have examined the envelope to see that it has not been opened. Before opening the envelope, all election officers present shall examine the number on the seal on the machine, also the number registered on the protective counter, and shall see if they are the same as the number written on the envelope; and if they are not the same, the machine must not be opened until the custodian or other authorized person, shall have been notified and shall have presented himself at the polling place for the purpose of re-examining such machine, certify that it is properly arranged. If the numbers on the seal and protective counter are found to agree with the numbers on the envelope, the election officers shall proceed to open the doors concealing the counters, and each officer shall carefully examine every counter and see that it registers zero (000), and the same shall be subject to the inspection of official watchers. The machine shall remain locked against voting until the polls are formally opened, and shall not be operated except by voters in voting. If any counter is found not to register zero (000) the Board of Election shall immediately notify the custodian, who shall, if practicable, adjust the counters at zero (000) but if it shall be impracticable for the custodian to arrive in time to so adjust such counters before the time set for opening the polls, the election officers shall immediately make a written statement of the designating letter and number of such counter, together with the number registered thereon, and shall sign and post same upon the wall of the polling room, where it shall remain throughout election day and in filling out the statement of canvass, they shall subtract such number from the number then registered thereon.

Sec. 18. IRREGULAR BALLOTS.—Ballots voted for any person whose name does not appear on the machine as a qualified candidate for office, are herein referred to as irregular ballots in voting for presidential electors, a voter may vote an irregular ticket made up of the names of persons in nomination by different parties, or partially of names of persons so in nomination and partially of names of persons not in nomination, or wholly of names of persons not in nomination by any party. Such irregular ballot shall be

deposited, written or affixed in or upon the receptacle or device provided on the machine for that purpose. An irregular ballot must be cast in its appropriate place on the machine, or it shall be void and not counted.

Sec. 19. LOCATION OF VOTING MACHINES.—At all elections whereat voting machines may be used, the arrangement of the polling room shall be the same as is now provided for by law; the exterior of the voting machine and every part of the polling room shall be in plain view of the election officers; the voting machine shall be placed at least three feet from every wall or partition of the polling room and at least four feet from any table whereat any of the election officers may be engaged or seated. The voting machine shall be so placed that the ballots on the face of the machine can be plainly seen by the election officers and the party watchers when not in use by voters. The election officers shall not themselves be, or permit any other person to be in any position or near any position that will permit one to see or ascertain how a voter votes, or how he has voted. The election officer attending the machine shall inspect the face of the machine after each voter has cast his vote, to see that the ballots on the face of the machine are in their proper places and that the machine has not been injured. During elections the door or other covering of the counter compartment of the machine shall not be unlocked or open, or the counters exposed except for good and sufficient reasons, a statement of which shall be made and signed by the election officers and shall be sent with their returns. No person shall be permitted in or about the polling room except as now provided by law in elections where ballots and ballot boxes are used.

Sec. 20. TIME ALLOWED A VOTER.—Where a voter presents himself for the purpose of voting, the election officers shall ascertain whether his name is upon the register of voters, and if his name appear thereon and no challenge be interposed, or if interposed, be not sustained, one of the election officers to be stationed at the entrance through the outer guard-rail shall announce the name of the voter and permit him to pass through the entrance opening in the outer guard-rail to the booth of the voting machine for the purpose of casting his vote; no voter shall remain in the voting machine booth longer than two minutes, unless for good and sufficient reason he be granted a longer period of time by the election officers in charge, and having cast his vote the voter shall at once emerge therefrom and leave the polling room by the exit opening in the outer guard-rail; if

he shall refuse to leave after the lapse of two minutes he shall be removed by the election officers; the election officers shall ascertain the name and address of each voter in the manner now provided by law before he enters the voting machine booth for the purpose of voting; no voter after having entered and emerged from the voting machine booth shall be permitted to re-enter the same on any pretext whatever; only one voter at a time shall be permitted to pass the outer guard-rail.

Sec. 21. INSTRUCTING VOTERS ON ELECTION DAY.—For the instruction of voters on any election days there shall, so far as practicable, be provided for each polling place a mechanically operated model of a portion of the face of the machine. Such model shall, during the election, be located on the election officer's table or in some other place which the voters must pass to reach the machine, and each voter shall before entering the machine booth be instructed regarding its operation and such instruction illustrated on the model, and the voter given opportunity to personally operate the model. The voter's attention shall also be called to the diagram of the face of the machine so that the voter can become familiar with the location of the questions and the names of the officers and candidates. In case any voter, after entering the voting machine booth, shall ask for further instructions concerning the manner of voting, two election officers of opposite political parties, if present, and if not, two election officers of the same party shall give such instructions to him, but no officer or person assisting a voter shall in any manner request, suggest or seek to persuade or induce any such voter to vote any particular ticket, or for any particular candidate, or for or against any particular ticket, or for or against any particular candidate, or for or against any particular amendment, question or proposition. After giving such instructions and before such voter shall have registered his vote, the officers or persons assisting him shall retire and such voter shall then register his vote in secret as he may desire.

Sec. 22. BLIND OR PHYSICALLY DISABLED VOTERS.—The provisions of the election law relating to the assistance to be given to blind or physically disabled voters shall apply also where voting machines are used, and the word "booth," when used in such sections, shall be interpreted to include the voting machine inclosure or curtain.

Sec. 23. ANNOUNCING THE VOTE AND LOCKING THE MACHINE AGAINST VOTING.—Immediately upon the close of the polls, the election officers shall lock and seal

the voting machine against further voting and open the counter compartment in the presence of persons who may be lawfully present at that time, giving full view of the counters. The chairman of the Board of Elections, under the scrutiny of a member of the board of a different political party, if such member desires to be present, shall then in the order of the offices as their titles are arranged on the machine, read and announce in distinct tones the result as shown by the counters, and shall then read the votes recorded for each office on the irregular ballots; he shall also, in the same manner read and announce the vote on each constitutional amendment, proposition, or other question. As each vote is read and announced, it shall be recorded on two statements of canvass by two other members of the Board of Election inspectors, and when completed shall be compared with the numbers on the counters of the machine. If found to be correct, the result shall be announced by the chairman of the board and the statements of canvass, after being duly certified and sworn to, shall be filed as now provided by law for filing election returns. After the reading and announcing of the vote, and before the doors of the counter compartment of the voting machine shall be closed, ample opportunity shall be given to any person or persons lawfully present to compare the results so announced with the counters of the machine and any necessary corrections shall then and there be made by the Board of Election. No tally sheets nor return blanks as required by law for use in election districts where paper ballots are used shall be furnished or used in election districts where voting machines are used, but in lieu thereof there shall be furnished two copies of a statement of canvass to conform to the requirements of the voting machine or machines being used.

Sec. 24. LOCKING THE MACHINE AND RETURNING THE IRREGULAR BALLOTS.—The election officers shall, as soon as the count the is completed and fully ascertained, as by this Act required, lock the counter compartment and it shall so remain for a period of thirty days, except it be ordered opened by a court of competent jurisdiction. Whenever irregular ballots of whatever description have been voted, the election officers shall return all such ballots in a properly secured package endorsed "irregular ballots" and return and file such package with the original statement of the result of the election made by them. Such package shall be preserved for six months next succeeding such election, and it shall not be opened or its contents examined during that time except by order of a judge or a court lawfully empowered to direct the same to be opened

and examined. At the end of said six months, said package may be opened and said ballots disposed of at the discretion of the official or body having charge thereof.

Sec. 25. DISPOSITION OF KEYS.—The keys of the machine shall be enclosed in an envelope to be supplied by the custodian on which shall be written the number of the machine and the district and ward where it has been used, which envelope shall be securely sealed and endorsed by the election officers, and shall be returned to the officer from whom the keys were received. The number on the seal and the number registered on the protective counter shall be written on the envelope containing the keys. All keys for voting machines shall be kept securely locked by the officials having them in charge. It shall be unlawful for any unauthorized person to have in his possession any key or keys of any voting machine and all election officers or persons entrusted with such keys for election purposes, or in the preparation of the machine therefor, shall not retain them longer than necessary to use them for such legal purpose. All machines shall be boxed and stored as soon after the close of the election as possible, and the machines and the boxes for the machines shall at all times be stored in a suitable place.

Sec. 26. APPLICATION OF PREVIOUS ARTICLE AND PENAL LAW.—Any unauthorized person found in possession of any such voting machine or keys thereof shall be deemed guilty of a misdemeanor and fined in a sum not less than twenty-five nor more than five hundred dollars, and imprisonment in the county jail, not less than ten nor more than thirty days; and any person wilfully tampering or attempting to tamper with, disarrange, deface or impair in any manner whatsoever, or destroy any such voting machine while the same is in use at any election, or who shall, after such machine is locked in order to preserve the registration or record of any election made by the same, tamper or attempt to tamper with any voting machine, shall be deemed guilty of a felony, and on conviction thereof shall be imprisoned in the State Prison of this State at hard labor for not less than three nor more than ten years.

Sec. 27. APPLICATION.—All laws relating to elections now in force in this State shall apply to all elections under this Act so far as the same may be applicable thereto; and so far as such provisions are not inconsistent with the provisions of the Act pertaining to the use of the paper ballots and ballot boxes.

Sec. 28. The purpose and object of this bill is to provide a proper method of experimenting with and trying out what is known as the mechanical balloting or voting machine, and in every case in which the governing authorities of any such city or county, as is hereinbefore described, shall adopt and place in use at any precinct or precincts of such city or county any such machine, the said governing authorities are hereby specifically authorized and empowered to do anything necessary, whether specifically covered by this Act or not, which they shall deem to be requisite to a fair, honest and satisfactory trial and use of such machine.

Sec. 29. Nothing in this Act shall in any way change, alter, repeal or modify any provision of the present election laws of the State of Florida, as the same shall now apply to and be operative in any election precinct in which such balloting machine shall not be used.

Sec. 30. This Act shall take effect immediately upon becoming a law.

Approved June 8, A. D. 1929.

CHAPTER 13897—(No. 333).

AN ACT to Authorize the County Commissioners of Any County in the State of Florida Having a Population of Not Less Than 40,160 and Not More than 40,165, According to the Next Preceding Regular or Special State Census to Adopt for Use or Experimentally, a Voting Machine or Voting Machines for the conduct of Elections in Such Counties, and Setting Forth the Requirements of Such Voting Machines, and Prescribing the Method of Conducting Elections by and With the Use of Such Voting Machines, and Directing How the Official Returns of Elections Conducted With the Aid of Such Voting Machines Shall Be Made, and Providing a Penalty for Unlawfully Possessing Such Voting Machines or the Keys Thereto, and Prescribing a Penalty for Wilfully Tampering, or Attempting to Tamper, Disarrange, Deface, or Impair Such Voting Machines, and Also Defining Some of the Terms Used in This Act.

Be It Enacted by the Legislature of the State of Florida:

Section 1. DEFINITIONS.—The list of candidates used or to be used on the front of the voting machine for an election district in which a voting machine is used pursuant to

law shall be deemed official ballots under this chapter. The word "ballot" as used in this article (except when reference is made to issequal ballots) means that portion of the cardboard or paper or other material within the ballot frames containing the names of the candidate and the designation of the party by which he was nominated, or a statement of a proposed constitutional amendment, or other question or proposition, with the word "yes" for voting for any question or proposition, and the word "no" for voting against any question. The term "question" shall mean any constitutional amendment, proposition or other question submitted to the voters at any election. The term "official ballot" shall mean the printed strips of cardboard containing the names of the candidates nominated and a statement of the questions submitted. The term "irregular ballot" shall mean a vote cast, by or on a special device, for a person whose name does not appear on the ballots. The term "voting machine custodian" shall mean the person who shall have charge of preparing and arranging the voting machine for elections. The term "protective counter" shall mean a separate counter built into the voting machine which cannot be reset, which records the total number of movements of the operating lever.

Sec. 2. REQUIREMENTS OF VOTING MACHINES.

—Any voting machines may be adopted, rented, purchased or used which shall be so constructed as to fulfill the following requirements: It shall secure to the voter secrecy in the act of voting; it shall provide facilities for voting for or against as many questions as may be submitted; it shall permit the voter to vote for the candidates of one or more parties; it shall permit the voter to vote for as many persons for an office as he is lawfully entitled to vote for, but no more; it shall prevent the voter from voting for the same person more than once for the same office; it shall permit the voter to vote for or against any question he may have the right to vote upon, but no other; if used in primary elections, it shall be so equipped that the election officials can lock out all rows except those of the voter's party by a single adjustment on the outside of the machine; it shall correctly register or record, and accurately count all votes cast for any or all persons, and for or against any and all questions, it shall be provided with a "protective counter" or "protective device" whereby any operation of the machine before or after the election will be detected; it shall be provided with a counter which shall show at all times during an election how many persons have voted; it shall be

provided with a mechanical model, illustrating the manner of voting on the machine, suitable for the instruction of voters, it may also be provided with one device for each party, for voting for all the presidential electors of that party by one operation, and a ballot therefor containing only the words "Presidential Electors For" preceded by the name of that party and followed by the names of the candidates thereof for the offices of president and vice-president, and a registering device therefor which shall register the vote cast for said electors when thus voted collectively; provided, however, that means shall be furnished whereby the voters can cast a vote in part for the candidates for presidential electors of one party, and in part for those of one or more other parties or in part or in whole for persons not nominated by any party. Every voting machine shall be furnished with a lantern, or a proper substitute for one, which shall give sufficient light to enable voters while voting to read the ballot and suitable for use by the election officers in examining the counters. All voting machines used in any election shall be provided with a screen, hood of curtain which shall be so made and adjusted as to conceal the voter and his action while voting.

Sec. 3. **ADOPTION OF VOTING MACHINE.**—The Board of County Commissioners of any county having a population of not less than 40,160 and not more than 40,165 according to the next preceding regular of special State census, may adopt for use at election any kind of voting machine that meets the requirements of this act, and thereupon such voting machine may be used at any or all elections held in such county, or in any part thereof, for voting, registering and counting votes cast at such elections. Voting machines of different kinds may be adopted for different districts in any county having a population of not less than 40,160 and not more than 40,165, according to the next preceding regular or special State census.

Sec. 4. **EXPERIMENTAL USE OF VOTING MACHINE.**—The county commissioners of any county having a population of not less than 40,160 and not more than 40,165, according to the next preceding regular or special State census, authorized by the last preceding section to adopt a voting machine, may provide for the experimental use, at an election in one or more districts, of a machine or machines which they might thereafter permanently adopt, and the use of such machine or machines at such election shall be as valid for all purposes as if it, or they, had been permanently adopted.

Sec. 5. PROVIDING MACHINES.—The authorities adopting the use of voting machines shall, as soon as practicable thereafter, provide for each polling place one or more voting machines in complete working order, and thereafter the authorities in charge of election shall preserve and keep them in repair, and shall have custody thereof when not in use at an election. If it shall be impracticable to supply each and every election district with a voting machine or voting machines at any election following such adoption, as many may be supplied as it is practicable to procure, and the same may be used in such election district or districts within such county as the officers adopting the same may direct.

Sec. 6. PAYMENT FOR MACHINES.—The boards of County Commissioners on the adoption and rental or purchase of voting machines may provide for the payment therefor in such manner as they may deem for the best interest of their respective localities.

Sec. 7. PRINTING OFFICIAL BALLOTS.— All ballots shall be printed on paper or clear white material, of such form and size as will fill the ballot frames of the machines, in plain color type as large as the space will reasonably permit. Party nominations shall be arranged on each voting machine, either in columns or horizontal rows; the caption of the various ballots on said machines shall be so placed on said machines as to indicate to the voter what push knob, key lever or other device is to be used or operated in order to vote for the candidate or candidates of his choice. The order of the arrangement of parties and of candidates shall be as now required by law.

Sec. 8. MAILING OF SAMPLE BALLOTS AND FURNISHING OF INSTRUCTION BALLOTS.—The officer or officers whose duty it may be under this act to provide and furnish official ballots for any polling place where a voting machine is to be used, shall also provide two sample ballots or instruction ballots which sample or instruction ballots shall be arranged in the form of a diagram showing such portion of the front of the voting machine as it will appear after the official ballots are arranged thereon on therein for voting on election day. Such sample ballots shall be open to the inspection of all voters on election day, in all primaries and general elections where voting machines are used.

There shall be furnished to the election official, at each polling place, a sufficient number of sample ballots (a fac

sample of the face of the machines) of a reduced size, so that one may be given to each voter desiring the same.

Sec. 9. NUMBER OF OFFICIAL BALLOTS TO BE FURNISHED.—Two sets of official ballots shall be provided for each polling place for each election district for use in and upon the voting machine, one set thereof shall be inserted or placed in or upon the voting machine and the other shall be retained in the custody and possession of the board of elections, unless it shall become necessary during the course of the election to make use of the same upon or in the voting machine.

Sec. 10. DUTY OF AUTHORITIES OF MUNICIPALITIES.—It shall be the duty of the authorities in charge of any election where a voting machine is to be used, to have the machine and all necessary furniture and appliances at the proper polling place or places before the time fixed for opening of the polls, and the counters set at zero (000), and otherwise in good and proper order for use at such elections; and for the purpose of placing ballots in the ballot frames of the machine putting it in order, testing and adjusting and delivering the machine, the authorities in charge of elections may employ one or more competent persons to be known as custodian or custodians of voting machines; who shall be fully competent, thoroughly instructed, and sworn to perform their duties honestly and faithfully, and for such purpose shall be appointed and instructed at least thirty days before the election and shall be considered as officers of elections. Before preparing a voting machine for any election, written notice shall be mailed to the chairman of the local organization of at least two of the principal parties, stating the time and place where the machines will be prepared, at which time one representative of each of such political parties shall be afforded an opportunity to see that the machines are in proper condition for use in the election; such representatives shall be sworn to faithfully perform their duties and shall be regarded as election officials but shall not interfere with the custodians or assume any of their duties. When a machine has been so examined by such representatives it shall be sealed with a numbered metal seal. Such representatives shall certify to the numbers of the machines, that all of the counters are set at zero (000), and as to the number registered on the protective counter, if one is provided, and on the seal. After the preparation of the machines, an officer or officers or someone duly authorized, other than the person who has prepared them for election, shall inspect each machine, and report in writ-

ing, concerning the facts as to whether or not all the registering counters are set at zero (000), the machine is arranged in all respects in good order for the election and locked; and as to the number registered on the protective counter; and on the seal. When a voting machine has been properly prepared for election, it shall be locked against voting and sealed; and the keys thereof shall be delivered to the board or officials having charge and control of elections, together with a written report made by the custodian, stating that it is in every way properly prepared for the election. After the voting machines shall be transferred to the polling places, it shall be the duty of the local authorities to provide ample protection against molestation or injury to the machine. The lantern or electric light fixture shall be prepared in good order for use before the opening of the polls.

Sec. 11. INSTRUCTION OF ELECTION OFFICERS.

—Not less than ten nor more than twenty-one days before each election, the custodian or custodians of the machine shall instruct the board of elections that are to serve in an election district in the use of the machine, and in their duties in connection therewith; and he shall give to each member of the board of elections who has received such instruction and is fully qualified to properly conduct the election with the machine, a certificate to that effect. For the purpose of giving such instructions the custodian shall call such meeting or meetings of the board of elections as shall be necessary. Such custodian shall within five days, file a report with the board or official in charge of elections stating that he has instructed the election officers, and the time and place where such instruction was given. The board of elections of each election district in which a voting machine is to be used shall attend such meeting, or meetings as shall be called for the purpose of receiving such instruction concerning their duties as shall be necessary for the proper conduct of the election with the machine. No member of any board of elections shall serve in any election at which a voting machine is used, unless he shall have received such instruction and is fully qualified to perform the duties in connection with the machine, and has received a certificate to that effect from the custodian of the machines; provided, however, that this shall not prevent the appointment of a person as a member of the Board of Elections to fill a vacancy in an emergency.

Sec. 12. INSTRUCTION OF VOTERS BEFORE ELECTION.

—Where voting machines are to be used, the authorities in charge of elections shall designate suitable

and adequate times and places where voting machines containing sample ballots showing titles of offices to be filled, and, so far as practicable, the names of candidates to be voted for at the next election shall be exhibited for the purpose of giving instructions as to the use of voting machines to all voters who apply for the same. No voting machine which is to be assigned for use in an election shall be used for such instruction after having been prepared and sealed for the election. During public exhibition of any voting machine for the instruction of the voters previous to an election, the counting mechanism thereof shall be concealed from view and the doors may be temporarily opened only when authorized by the board or official having charge and control of the elections.

Sec. 13. OFFICIAL BALLOTS FURNISHED.—Official ballots in the form and description set forth in this Act for use upon voting machine shall be prepared and furnished in the same manner, at the same time, and be delivered to the same officials as now provided by law.

Sec. 14. NUMBER OF VOTERS IN A DISTRICT.—Election districts in which voting machines are to be used may be altered, divided or combined so as to provide that each district in which the machine is to be used shall contain as nearly as may be seven hundred and fifty voters, and that each district in which two machines are to be used shall contain as nearly as may be one thousand voters, and that each district in which three machines are to be used shall contain as nearly as may be one thousand five hundred voters, provided that nothing herein shall prevent any election district from containing a less number than above if necessary for the convenience of the voters. Whenever more than two machines are to be used in a district, one additional member of the board of elections shall be appointed for each additional machine.

Sec. 15. If the official ballot for an election district or precinct, at which a voting machine is to be used, shall not be delivered in time for use on election day or after delivery shall be lost, destroyed or stolen, the clerk or other official, or officials whose duty it now is in such case to provide other ballots for use at such elections in lieu of these lost, destroyed or stolen, shall cause other ballots to be prepared, printed or written as nearly as may be of the form and description of the official ballots, and the board of elections shall cause the ballots so substituted to be used

at the election in the same manner, as nearly as may be, as the official ballots would have been.

Sec. 16. VOTING MACHINE OUT OF ORDER.—In case any voting machine used in any election district shall, during the times the polls are open, become, injured so as to render it inoperative in whole or in part, it shall be the duty of the election officers immediately to give notice thereof to the body providing such machine, and it shall be the duty of such body, if possible, to substitute a perfect machine for the injured machine, and at the close of the polls, the record of both machines shall be taken, and the votes shown on their counters shall be added together in ascertaining and determining the results of the election; but if no other machine can be repaired in time for use at such election, unofficial ballots made as nearly as possible in the form of the official ballot may be used, received by the election officers and placed by them in a receptacle in such case to be provided by the election officers, and counted with the votes registered on the voting machines; and the result shall be declared the same as though there had been no accident to the voting machine; the ballots thus voted shall be preserved and returned as herein directed with a certificate or statement setting forth how and why the same were voted.

Sec. 17. OPENING OF THE POLLS.—The boards of election of each district shall attend at the polling place three-quarters of an hour before the time set for opening of the polls, at each election, and shall proceed to arrange within the guard rail the furniture, stationery and voting machine for the conduct of the election. The boards of election shall then and there have the voting machine, ballots, and stationery required to be delivered to them for such election. If not previously done, they shall insert in their proper place on the voting machine, the ballots containing the names of officers to be filled at such election, and the names of candidates nominated therefor. The keys to the voting machine shall be delivered to the election officers at least three-quarters of an hour before the time set for opening the polls, in a sealed envelope, on which shall be written or printed the number and location of the voting machine; the number of the seal and the number registered on the protective counter or device, as reported by the custodian. The envelope containing the keys shall not be opened until at least one member of the board from each of two political parties shall be present at the polling place, and shall have examined the enve-

lope to see that it has not been opened. Before opening the envelope, all election officers present shall examine the number on the seal on the machine, also the number registered on the protective counter, and shall see if they are the same as the number written on the envelope; and if they are not the same, the machine must not be opened until the custodian or other authorized person, shall have been notified and shall have presented himself at the polling place for the purpose of re-examining such machine and shall certify that it is properly arranged. If the numbers on the seal and protective counter are found to agree with the numbers on the envelope, the election officers shall proceed to open the door concealing the counters, and each officer shall carefully examine every counter and see that it registers zero (000), and the same shall be subject to the inspection of official watchers. The machine shall remain locked against voting until the polls are formally opened, and shall not be operated except by voters in voting. If any counter is found not to register zero (000) the board of election shall immediately notify the custodian, who shall, if practicable, adjust the counters at zero (000) but if it shall be impracticable for the custodian to arrive in time to so adjust such counters before the time set for opening the polls, the election officers shall immediately make a written statement of the designating letter and number of such counter, together with the number registered thereon, and shall sign and post same upon the wall of the polling room, where it shall remain throughout election day, and in filling out the statement of canvass, they shall subtract such number from the number then registered thereon.

Sec. 18. **IRREGULAR BALLOTS.**—Ballots voted for any person whose name does not appear on the machine as a qualified candidate for office, are herein referred to as irregular ballots. In voting for presidential electors, a voter may vote an irregular ticket made up of the names of persons in nomination by different parties, or partially of names of persons so in nomination and partially of names of persons not in nomination, or wholly of names of persons not in nomination by any party. Such irregular ballot shall be deposited, written or affixed in or upon the receptacle or device provided on the machine for that purpose. An irregular ballot must be cast in its appropriate place on the machine, or it shall be void and not counted.

Sec. 19 **LOCATION OF VOTING MACHINES.**—At all elections whereas voting machines may be used, the arrangement of the polling room shall be the same as is now

provided for by law; the exterior of the voting machine and every part of the polling room shall be in plain view of the election officers; the voting machine shall be placed at least three feet from every wall or partition of the polling room and at least four feet from any table whereat any of the election officers may be engaged or seated. The voting machine shall be so placed that the ballots on the face of the machine can be plainly seen by the election officers and the party watchers when not in use by voters. The election officers shall not themselves be, or permit any other person to be in any position or near any position that will permit one to see or ascertain how a voter votes, or how he has voted. The election officer attending the machine shall inspect the face of the machine after each voter has cast his vote, to see that the ballots on the face of the machine are in their proper places, and that the machine has not been injured. During elections the door or other covering of the counter compartment of the machine shall not be unlocked or open, or the counters exposed except for good and sufficient reasons, a statement of which shall be made and signed by the election officers and shall be sent with the returns. No person shall be permitted in or about the polling room except as now provided by law in elections where ballots and ballot boxes are used.

Sec. 20. TIME ALLOWED A VOTER.—Where a voter presents himself for the purpose of voting, the election officers shall ascertain whether his name is upon the register of voters, and if his name appears thereon and no challenge be interposed, or if interposed, be not sustained, one of the election officers to be stationed at the entrance through the outer guard rail shall announce the name of the voter and permit him to pass through the entrance opening in the outer guard rail to the booth of the voting machine for the purpose of casting his vote; no voter shall remain in the voting machine booth longer than two minutes, unless for good and sufficient reason he be granted a longer period of time by the election officers in charge, and having cast his vote the voter shall at once emerge therefrom and leave the polling room by the exit opening in the outer guard rail; if he shall refuse to leave after the lapse of two minutes he shall be removed by the election officers; the election officers shall ascertain the name and address of each voter in the manner now provided by law, before he enters the voting machine booth for the purpose of voting; no voter after having entered and emerged from the voting machine booth shall be permitted to re-enter the same on any pretext what-

ever; only one voter at a time shall be permitted to pass the other guard rail to vote.

Sec. 21. INSTRUCTING VOTERS ON ELECTION DAY.—For the instruction of voters on any election days there shall, so far as practicable, be provided for each polling place a mechanically operated model of a portion of the face of the machine. Such model, if furnished, shall, during the election, be located on the election officer's table or in some other place which the voters must pass to reach the machine, and each voter shall, before entering the machine, be instructed regarding its operation and such instruction illustrated on the model, and voter given opportunity to personally operate the model. The voter's attention shall also be called to the diagram of the face of the machine so that the voter can become familiar with the location of the questions and the names of the officers and candidates. In case any voter, after entering the voting machine, shall ask for further instructions concerning the manner of voting, two election officers of opposite political parties, if present, and if not, two election officers of the same party shall give such instructions to him, but no officer or person assisting a voter shall in any manner request, suggest or seek to persuade or induce any such voter to vote any particular ticket, or for any particular candidate, or for or against any particular ticket, or for or against any particular candidate, or for or against any particular amendment, question or proposition. After giving such instructions and before such voter shall have registered his vote, the officers or persons assisting him shall retire and such voter shall then register his vote in secret as he may desire.

Sec. 22. BLIND OR PHYSICALLY DISABLED VOTERS.—The provisions of the election law relating to the assistance to be given to blind or physically disabled voters shall apply also where voting machines are used, and the word "booth," when used in such sections, shall be interpreted to include the voting machine inclosure or curtain.

Sec. 23. ANNOUNCING THE VOTE AND LOCKING THE MACHINE AGAINST VOTING.—Immediately upon the close of the polls, the election officers shall lock and seal the voting machine against further voting and open the counter compartment in the presence of persons who may be lawfully present at that time, giving full view of the counters. The chairman of the board of elections, under the scrutiny of a member of the board of a different political party, if such member desired to be present, shall then in

the order of the offices as their titles are arranged on the machine, read and announce in distinct tones the result as shown by the counters, and shall then read the votes recorded for each office on the irregular ballots; he shall also, in the same manner, read and announce the vote on each constitutional amendment, proposition, or other question. As each vote is read and announced, it shall be recorded on two statements of canvass by two other members of the board of election inspectors, and when completed shall be compared with the numbers on the counters of the machine. If found to be correct, the result shall be announced by the chairman of the board and the statements of canvass, after being duly certified and sworn to, shall be filed as now provided by law for filing election returns. After the reading and announcing of the vote, and before the doors of the counter compartment of the voting machine shall be closed, ample opportunity shall be given to any person or persons lawfully present to compare the results so announced with the counters of the machine and any necessary corrections shall then and thereby be made by the board of election. No tally sheets nor return blanks as required by law for use in election districts where paper ballots are used shall be furnished or used in election districts where voting machines are used, but in lieu thereof there shall be furnished two copies of a statement of canvass to conform to the requirements of the voting machine or machines being used.

Sec. 24. LOCKING THE MACHINE AND RETURNING THE IRREGULAR BALLOTS.—The election officers shall, as soon as the count is completed and fully ascertained, as by this Act required, lock the counter compartment and it shall so remain for a period of thirty days, except it be ordered opened by a court of competent jurisdiction. Whenever irregular ballots of whatever description have been voted, the election officers shall return all such ballots in a properly secured package endorsed "irregular ballots" and return and file such package with the original statement of the result of the election made by them. Said package shall be preserved for six months next succeeding such election, and it shall not be opened or its contents examined during that time except by order of a judge or a court lawfully empowered to direct the same to be opened and examined. At the end of said six months, said package may be opened and said ballots disposed of at the discretion of the official or body having charge thereof.

Sec. 25. DISPOSITION OF KEYS.—The keys of the machine shall be enclosed in an envelope to be supplied by

the custodian on which shall be written the number of the machine and the district and ward where it has been used, which envelope shall be securely sealed and endorsed by the election officers, and shall be returned to the officer from whom the keys were received. The number on the seal and the number registered on the protective counter shall be written on the envelope containing the keys. All keys for voting machines shall be kept securely locked by the officials having them in charge. It shall be unlawful for any unauthorized person to have in his possession any key or keys of any voting machine and all election officers or persons entrusted with such keys for election purposes, or in the preparation of the machine therefor, shall not retain them longer than necessary to use them for such legal purpose. All machines shall be boxed and stored as soon after the close of the election as possible, and the machines and the boxes for the machines shall at all times be stored in a suitable place.

Sec. 26. APPLICATION OF PREVIOUS ARTICLE AND PENAL LAW.—Any unauthorized person found in possession of any such voting machine or keys thereof shall be deemed guilty of a misdemeanor and fined in a sum not less than twenty-five nor more than five hundred dollars, and imprisonment in the county jail, not less than ten nor more than thirty days; and any person wilfully tampering or attempting to tamper with, disarrange, deface or impair in any manner whatsoever, or destroy any such voting machine while the same is in use at any election, or who shall, after such machine is locked in order to preserve the registration or record of any election made by the same, tamper or attempt to tamper with any voting machine, shall be deemed guilty of a felony, and on conviction thereof shall be imprisoned in the State prison of this State at hard labor for not less than three nor more than ten years.

Sec. 27. This Act shall take effect immediately upon its passage and approval by the Governor or upon its becoming a law without such approval.

Approved June 8, A. D. 1929.

INDEX

ABSENT VOTERS—

Affidavits, printed form furnished by Supervisor of Registration	42
Ballots kept in County Judge's office	42
Ballots, Oaths, method of voting	40-45
Canvassing ballot	42
Committing fraud voting by mail	63, 64
Effect, death of voter before opening polls	45
Law	40-46
Manner of voting	43
May vote in other precincts	40
Oath required, method of voting	40-45
Officials to have ballots and envelopes printed	45
Registration Officer to supply forms	42
Votes mailed to County Judge	41

ADVERTISEMENTS—

To be signed and marked	59
-------------------------------	----

AFFIDAVITS—

See oaths.

ASSESSMENTS—

See Candidates.

See Executive Committee.

BALLOTS—

Candidates failing to file statements not to have name on	62
Elector not to display	50
Electors to receive ballots of party designated in Registration Book	28
Expense printing, etc.	13
Form	27
Names printed in alphabetical order	27
Penalty casting more than one	54
Penalty casting illegal	49
Penalty for changing	46
Penalty for deceiving elector in preparing	46
Penalty destroying	49
Penalty making false declaration in preparing	49
Penalty for removing	55
Penalty for substituting	54
Political parties, separate	27
Successful candidate printed on general election	35
Voting, Inspectors clothed with police powers	29

BALLOT BOX—

Penalty for carrying away	54
Penalty for destroying records	54

BETTING—

See Penalties.

BOARDS PUBLIC INSTRUCTION—

Nominated throughout County in certain Counties.... 39, 40, 64, 65

BOOTH—

Penalty for destroying 46

BRIBERY—

See Candidates.

CAMPAIGN EXPENSES—

See Candidates.

CANDIDATES—

See Ballots.

See Canvassing Board.

See Nominations.

See Pamphlets.

Assessment, date 21

Assessment by party 20

Cost of space in publication 24

County Commissioners and Boards Public Instruction nominated throughout counties in certain counties..... 39, 40, 64, 65

Defined 61

Election contest 36

Expenditures limited 56

Expenses enumerated 57

Expenses, sworn statements 37-39

Entitled to name on ballot 23

Failing to file statement not to have name on ballot 62

False certificate of nomination 47

Filing fee 22

For non-elective office 23

Forfeiture of nomination 55

Greatest, next greatest or equal number votes, first primary 33

Groups 35

Names certified by Secretary of State 35

Names printed on ballot in alphabetical order 27

Newspaper to give space to assailing 61

Nomination in primaries 10

Oath, form 21

Oath, form furnished by Executive Committee 22

Party assessments 20

Penalty for charges against 60

Penalty for distributing literature against one on election day 52

Penalty for failure to file statement 62

Penalty for failure to file statement expenses 63

Penalty for giving money or property for another 61

Penalty making false affidavit or oath 63

Penalty for promising appointments 58

Penalty refusing to file name of workers 52

Penalty for rewards for vote or services 58

Penalty for rewards to newspaper 60

Penalty for Secretary State failing to certify nomination 48

Penalty receiving or giving money 61

Portrait and statement filed with Secretary State..... 24

Statements as Evidence 39

Statements, penalty for failing to file 39

Statements, showing names of political workers 39

CANDIDATES, Cont'd—

Successful on general election ballot	35
Time for filing statement, paying fee for State office.....	23
Time for filing statement and paying fee for County office	23

CANVASSING BOARD, COUNTY—

Canvassing returns	32
Certifying results	32
Penalty for fraud	48
Penalty for violating duty	47
When to meet	32

CANVASSING BOARD, STATE—

Canvassing returns	33
Determination results first and second Primary	33
Penalty for frauds	48
Time of meeting	33

CERTIFICATES—

Nomination, penalty for false	47
-------------------------------------	----

CONTESTS—

Primary and General Election alike	36
------------------------------------------	----

CORPORATIONS—

Penalty for use of money	50
Where prosecuted for use of money	51

COUNTY COMMISSIONERS—

Nominated throughout County in certain Counties....	39, 40, 64, 65
-----------------------------------------------------	----------------

COUNTY SITE—

Penalty for unlawful use in elections	52
---------------------------------------------	----

DEFINITIONS—

See Words and Phrases.

ELECTION—

Betting on, penalty	50
Booth, penalty for destroying	46
Calling out militia	46
Canvassing board, County	32
Canvassing board, State	33
Contests	36
County Site penalty for unlawful use of money.....	52
Determined by State Canvassing Board	33-35
Duties, Sheriff	62
General Election laws applicable	36
Grand Jury investigations	62
Expenses	13
Inspectors, powers	29
Inspectors, certify tally books	31
Municipal Primaries	37
Penalty attempting to vote substitute ballot	54
Penalty carrying away ballot box, etc.	54
Penalty destroying records	54
Penalty false oaths	55
Penalty for fraud in canvassing	48
Penalty Inspectors deceiving electors	46
Penalty for officers failing duty	48
Penalty for refusing watchers	46

ELECTION, Cont'd—

Penalty for unlawful use of money or liquor	53
Penalty for use of money by corporations	50
Penalty for wagers	50
Primary, date, first Primary	11
Primary, date, second Primary	33
Primary nominations	10
Threats of employers, penalty	51

ELECTORS—

See Absent Voters.	
See Ballot.	
Challenges	29
Corrupt influences, penalties	49
False swearing as to qualification, penalty	49
Payment, Poll Tax	15
Casting illegal vote	49
Penalty for aiding or abetting	51
Penalty for deceiving when preparing ballot	46
Penalty for displaying ballot and other offenses	50
Penalty passing by another name	36, 54
Penalty removing ballot	55
Penalty for voting where not qualified	53
Qualifications	3
Receiving ballot of party designated in registration book	28
Registration required	15
Soldiers and sailors may vote	4

EMPLOYERS—

Penalties for agent	52
Threats to employees, penalties	51

EXECUTIVE COMMITTEES—

How constituted, powers	11
Oath, furnished by	22
Organization, powers and proxies	11-13
State may declare for nomination of candidate for non-elective offices	23
State may declare terms of membership in party	19

EXPENSES—

See Candidates.	
Ballots, etc.	13
Penalty for failure to file statement	62

FILING FEE—

See Candidates.	
Freeholders, time for registration	10

GRAND JURIES—

Investigation	62
---------------------	----

INSPECTORS—

See Election.	
Deceiving elector	46
Penalty for disclosing electors vote	46
Police powers	29
Refusing to allow watchers in counting ballots	46
Tally books certified by	31

MILITIA—	
Calling out	46
NEWSPAPER—	
Must give space for reply to assailed candidate	61
Penalty for reward	60
NOMINATIONS—	
Certified by Secretary of State	35
County Commissioners and Board Public Instruction nominated throughout County in certain Counties.....	39, 40, 64, 65
Forfeiture	55
OATHS—	
Furnished by Committee	22
Penalty, false	55
OFFICERS—	
See Sheriffs.	
Failing to perform duties	48
PAMPHLETS—	
Clerical help in preparation	26
Cost of space	24
Distribution to electors	26
Secretary of State to prepare and send to Supervisors of Registration	26
Size and style	25
Supervisors of Registration to address and mail	26
Time, delivery	25
Wrappers and postage furnished by State	26
PARTIES—	
Assessment, date	21
Assessment of candidates	20
Defined	11
Executive Committees	11
Separate ballots	27
State Executive Committee may declare terms of membership	19
PARTY AFFILIATION—	
Change of	14
PENALTIES—	
Accepting reward for services	59
Acting as officer or agent	52
Betting on election	50
Candidates exceeding lawful expenses	56
Candidates failing to file expense statements	63
Candidates failure to file statements	39
Candidates failing to file statements not to have name on ballot	62
Candidate forfeituring nomination	55
Candidates giving away money or property for another.....	61
Candidates making false affidavit	63
Candidates offering rewards for vote or service	58
Candidates promising to appoint	58
Candidates receiving or giving money	61
Candidates refusing to file name of workers	52
Calling out Militia	46

PENALTIES, Cont'd—

Carrying away ballot box	54
Casting more than one ballot	49, 54
Changing electors ballot	46
Charges against candidates	60
Corruptly influencing electors	49
County Canvassing Board violating duties	47
Destroying ballots	49
Deceiving electors in preparing ballot	46
Destroying election booth	46
Destroying election records	54
Disclosing how electors vote	46
Distributing literature against candidates on election day	52
District Registration officer failing to deliver books and papers to successor	47
Elector assuming wrong name	36
Elector casting illegal ballot	49
Elector displaying ballot	50
Elector passing by another name	54
Elector removing ballots, etc.	55
Elector false swearing as to qualification	49
Elector voting when not qualified	53
Employers threatening employees	51
Failure Tax Collector report poll tax	47
Failure to assist officers	50
Failure to mark or sign advertisements	59
False certificates of nomination	47
False declaration in preparing ballot	49
False oath	55
Fraud by or for absent voters	63
Fraud in canvassing election returns	48
Influencing electors	49
Inspectors deceiving electors	46
Inspectors disclosing how electors vote	46
Inspectors refusing watchers in counting ballot	46
Neglect of duty by Sheriff or other officer	47
Newspaper failing to give space to assailed candidate	61
Officers not performing duties after being sworn in	48
Payment poll tax for another	52
Rewards for or against candidates	59
Rewards to newspapers	60
Secretary of State failing to certify nomination	48
Substitution of ballots	54
Supervisor of Registration failing to deliver books and papers to successor	47
Tax Collector receiving poll tax from person not assessed	48
Threats to employees	51
Unlawful use of money in county site election	52
Unlawful use of money or liquor at election	53
Use of money by corporations	50
Wagers on election	50
Violation for aiding or abetting	51

POLITICAL WORKERS—

See Candidates.

See Penalties.

POLLING PLACES—

Location	11
----------------	----

POLL TAX—

Copy of receipts by Tax Collector, Supervisor of Registration	15
Penalty for payment for another	52
Penalty for Tax Collector failing to report	47
Penalty for Tax Collector receiving from person not assessed	48
Prerequisite for electors	15
Receipts delivered to Supervisor Registration	15

POLLS—

Failure to assist Deputy Sheriffs	50
-----------------------------------------	----

POLITICAL PARTIES—

Determining total vote of party	11
Defined	11

PUBLICATION—

To be signed	59
--------------------	----

REGISTRATION—

Biennial in certain counties	13, 14
Books evidence registered persons only qualified to vote.....	10
Books, form	16-17
Books furnished by Secretary of State	20
Books open to inspection	20
Books open, time	68
By district Registration Officers	8, 9
Change of party	14
District officers	13
District officers paid by counties	18
Fees of officers	15
Freeholders	10
How electors may register	18
Legal registration books certain counties	7, 9
Nullification of past registration in certain counties	7, 8
Penalty for failure to deliver books	47
Precinct register	19
Re-registration in certain counties	6, 7, 8
Time of closing registration book certain counties	7, 9
Time to apply for re-registration, certain counties	7, 9
When, biennially certain counties	14
When books open	15
When books open, certain counties	5
When District books open	13
When Freeholders may register	10

REWARDS—

See Penalties.

REGISTRATION OFFICER—

Supply absent voters form	42
District, failing to deliver books and papers to successor....	47
Provided for certain counties	69, 71, 73, 75

SECRETARY OF STATE—

See Candidates.	
See Nominations.	
See Pamphlets.	
See Registration.	
Certifying names to County Commissioners	35

SECRETARY OF STATE, Cont'd—

Clerical help in performing duties	26
Failing to certify nomination	48
Registration Books furnished by	20
To prepare pamphlets	25
Penalty for failure to certify nomination	48

SHERIFFS—

Duties, special officers	62
Penalty for failure to assist at polls	50
Penalties for neglect of duty	47

STATEMENTS—

See Candidates.
See Pamphlets.

SUPERVISOR OF REGISTRATION—

See Registration.	
Copy of poll tax receipts delivered to	15
Compensation certain counties	66, 67, 68
Deputies, appointment, powers and compensation	18
Duties vested in Tax Collector certain counties	6
Fees	8, 9
Penalty for failure to deliver books and papers to successor	47
Pamphlets, address and mail	26
Poll Tax receipts delivered	15
Salaries in certain counties	4
To furnish list of registered electors to Secretary of State	20
To furnish printed form affidavit for absent voters	42
When books open certain counties	68

TALLY BOOKS—

Certified by Inspectors	31
-------------------------------	----

TAX COLLECTOR—

Duties Supervisor of Registration vested in certain Counties	6
Penalty for failure to report Poll Tax	47
Penalty for receiving poll tax from person not assessed.....	48
To deliver copy of poll tax receipts to Supervisor of Registration	15

VOTES—

See Ballots.	
See Inspectors.	
Counting	30

VOTERS—

Fraud in connection with absent voters voting by mail.....	63, 64
Re-registration certain counties	69, 71, 73, 75

VOTING MACHINES—

For adoption any County	78
For adoption counties certain population	90, 103, 115, 128

WAGERS—

See Election.
See Penalties.

WATCHERS—

See Election.

See Inspectors.

Penalty for refusing to allow 46

WITNESSES—

Not liable to prosecution 55

WORDS AND PHRASES—

Candidates defined 61

Definitions 36